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HOUSE JOURNAL
OF THE
FIFTY-FIRST LEGISLATURE
OF THE
STATE OF MONTANA
VOLUME II

Held in Helena, the Seat of Government
Commencing in Regular Session January 2, 1989
and Ending April 21, 1989

JOHN VINCENT
Speaker of the House

LARRY FASBENDER
Chief Clerk of the House

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FORTY-FOURTH LEGISLATIVE DAY

Helena, Montana
February 21, 1989

House Chambers
State Capitol

House convened at 8:00 a.m., Mr. Speaker in the Chair. Invocation by Representative Spaeth. Pledge of Allegiance to the Flag.

Roll call. All members present except Moore, excused. Quorum present.

Representative Harper moved the House recess until 8:45 a.m. Motion carried.

House recessed at 8:10 a.m.

House reconvened at 9:03 a.m., Mr. Speaker in the Chair.

Representative Moore present at this time.

Representatives Bradley and Spaeth excused at this time.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

2/21/89

Correctly printed: HB 705.

Correctly engrossed: HB 70, HB 169, HB 225, HB 245, HB 254, HB 283, HB 291, HB 447, HB 508, HB 511, HB 536, HB 561, HB 572, HB 578, HB 582, HB 591, HB 595, HB 597, HB 600, HB 602, HB 621, HB 624, HB 630, HB 639, HB 642, HB 645, HB 649, HB 655, HB 656, HB 662, HB 668, HB 671, HB 678, HB 680, HB 682, HB 683, HB 684, HB 688, HJR 20.

Signed by the Speaker at 3:00 p.m., 2/21/89: HB 146.

Delivered to the Governor for his approval at 2:30 p.m., 2/21/89: HB 17, HB 37, HB 64, HB 91, HB 146.

BUSINESS AND ECONOMIC DEVELOPMENT (Pavlovich, Chairman):

2/21/89

HB 221, second reading copy, be amended as follows:

1. Title, line 4.

Following: "PROVIDE FOR"

Insert: "OPTIONAL"

2. Title, lines 6 and 7.

Strike: "AMENDING" on line 6 through "MCA;" on line 7

3. Page 1, line 12.

Following: "policy"

Insert: "— option"

4. Page 1, line 14.

Strike: "shall issue a"

Insert: "that issues"

Strike: "policy"

Insert: "policies"

5. Page 1, line 15.

Following: "61-6-103,"

Insert: "must provide provisions that permit coverage"

6. Page 1, line 18.

Following: "insurance"

Insert: "that provides coverage for the benefit of a person, as provided in subsection (1),"

7. Page 2, line 1 through page 8, line 23.
Strike: sections 2 through 4 in their entirety
Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 565, introduced bill, be amended as follows:

1. Title, lines 4 and 5.

Following: the second "ACT"

Strike: remainder of line 4 through "ACCOUNT" on line 5

Insert: "REVISING THE ALLOCATION OF COAL SEVERANCE
TAX COLLECTIONS AND PROVIDING A PORTION"

2. Title, line 6.

Strike: "AND"

3. Title, line 7.

Following: "SECTIONS"

Insert: "15-35-108,"

Following: "90-6-201,"

Insert: "90-6-202,"

Strike: "AND"

4. Title, line 8.

Following: "90-6-208,"

Insert: "AND 90-6-212,"

Following: "MCA"

Insert: "; AND PROVIDING AN EFFECTIVE DATE"

5. Page 1, line 23.

Strike: "local impact"

Insert: "public works grant and loan program"

6. Page 3, line 11.

Following: line 10

Insert: "Section 5. Section 15-35-108, MCA, is amended to read:

"15-35-108. Disposal of severance taxes. Severance taxes collected under this chapter must be allocated according to the provisions in effect on the date the tax is due under 15-35-104. Severance taxes collected under the provisions of this chapter are allocated as follows:

(1) To the trust fund created by Article IX, section 5, of the Montana constitution, 50% of total coal severance tax collections. The trust fund moneys shall be deposited in the fund established under 17-6-203(5) and invested by the board of investments as provided by law.

(2) Starting July 1, 1987, and ending June 30, 1993, 12% of coal severance tax collections are allocated to the highway reconstruction trust fund account in the state special revenue fund.

(3) Coal severance tax collections remaining after the allocations provided by subsections (1) and (2) are allocated in the following percentages of the remaining balance:

(a) 4% to the state special revenue fund to the credit of the alternative energy research development and demonstration account;

(b) ~~(i) 4% until June 30, 1989, to the state special revenue fund to the credit of the local impact account and thereafter 20% to the~~

state special revenue fund to the credit of the local impact and education trust fund account; ~~and 17.5%~~

(ii) 8.75% to the credit of the local impact account; and

(iii) 8.75% to the credit of the public works grant and loan program account. ~~Unencumbered funds remaining in the local impact account at the end of each biennium are allocated to the education trust fund account.~~

(c) 44.2% until June 30, 1989, and thereafter 10% to the state special revenue fund for state equalization aid to public schools of the state;

(d) 1% to the state special revenue fund to the credit of the county land planning account;

(e) 1% to the credit of the renewable resource development bond fund;

(f) after June 30, 1989, 5% to a nonexpendable trust fund for the purpose of parks acquisition or management, protection of works of art in the state capitol, and other cultural and aesthetic projects. Income from this trust fund shall be appropriated as follows:

(i) $\frac{1}{3}$ for protection of works of art in the state capitol and other cultural and aesthetic projects; and

(ii) $\frac{2}{3}$ for the acquisition, development, operation, and maintenance of any sites and areas described in 23-1-102;

(g) 1% to the state special revenue fund to the credit of the state library commission for the purposes of providing basic library services for the residents of all counties through library federations and for payment of the costs of participating in regional and national networking;

(h) $\frac{1}{2}$ of 1% to the state special revenue fund for conservation districts;

(i) 1% to the debt service fund type to the credit of the water development debt service fund;

(j) 2% to the state special revenue fund for the Montana Growth Through Agriculture Act;

(k) all other revenues from severance taxes collected under the provisions of this chapter to the credit of the general fund of the state.

(4) Unencumbered funds remaining in the local impact account and the public works grant and loan program account at the end of each biennium are allocated to the education trust fund account."

Section 6. Section 90-6-202, MCA, is amended to read:

"90-6-202. Accounts established. (1) There is within the state special revenue fund a local impact account. ~~Moneys are~~ Money is payable into this account under 15-35-108. ~~The state treasurer shall draw warrants from this account upon order of the coal board.~~

(2) There is within the state special revenue fund a coal area highway improvement account.

(3) There is within the state special revenue fund a public works grant and loan program account. Money is payable into this account under 15-35-108.

~~(3)~~(4) There is within the nonexpendable trust fund an education trust fund account.

(5) The state treasurer shall draw warrants from the accounts established in subsections (1) and (3) upon order of the coal board.'"

Renumber: subsequent sections

7. Page 3, line 21.

Following: "loans"

Strike: ", "

Insert: ":

(a)"

8. Page 3, lines 21 and 22.

Strike: "and [section 3]"

9. Page 3, line 23.

Strike: "(a)"

Insert: "(i)"

10. Page 4, line 4.

Following: "and"

Insert: "and"

11. Page 4, line 5.

Strike: "(b)"

Insert: "(ii)"

12. Page 4, line 11.

Strike: "(c)"

Insert: "(b) subject to [section 3], from the public works grant and loan program account,"

13. Page 4, line 13.

Following: "unit"

Insert: "from the local impact account"

14. Page 6, line 10.

Following: "loan"

Insert: "under [section 2]"

15. Page 6, line 14.

Following: line 13

Insert: "Section 10. Section 90-6-212, MCA, is amended to read:

"90-6-212. Local impact account and public works grant and loan program account — disposition of loan repayments, interest, and unexpended balances. (1) The money derived from loans made pursuant to ~~this part~~:

(a) 90-6-206 through 90-6-209, including interest thereon, must be deposited to the credit of the local impact account created in 90-6-202; and

(b) [sections 2 and 3], including interest thereon, must be deposited to the credit of the public works grant and loan program account established in 90-6-202.

(2) The unexpended money in the local impact account and the public works grant and loan program account must be invested by the board of investments as provided by statute. Interest and earnings must be deposited to the credit of the education trust fund account.

(3) The unexpended balance in the local impact account and the public works grant and loan program account at the end of each biennium must be deposited to the credit of the education trust fund account.””

16. Page 6, line 23.

Following: line 22

Insert: “NEW SECTION. Section 13. Effective date. [This act] is effective July 1, 1989.”

And, as amended, do pass. Report adopted.

HB 669, introduced bill, be amended as follows:

1. Page 1, lines 13 and 14.

Page 2, lines 6, 9, and 19.

Page 4, line 4.

Page 5, lines 15 and 21.

Page 9, line 17.

Page 13, line 8.

Page 14, lines 12 and 14.

Page 19, line 20.

Page 22, lines 10, 14, 21, and 22.

Page 23, lines 3, 4, and 8.

Page 26, line 22.

Page 31, line 23.

Strike: “24”

Insert: “26”

2. Page 5, line 7.

Strike: “or”

3. Page 5, line 11.

Following: “act]”

Insert: “; or

(g) a self-regulated health plan that is established, maintained, and administered by the board of regents”

4. Page 8, line 10.

Strike: “30”

Insert: “45”

5. Page 8, line 21.

Strike: “180”

Insert: “60”

6. Page 8, line 22.

Strike: “its completion”

Insert: “the submission of the completed application”

7. Page 12, line 10.

Following: “certified”

Insert: “annually after the first year”

8. Page 13, line 4.

Strike: "calendar"
Insert: "fiscal"

9. Page 13, line 7.
Strike: "calendar"
Insert: "fiscal"

10. Page 13, line 20.
Strike: "Taxes"
Insert: "Fees"

11. Page 13, line 20 through page 14, line 3.
Strike: subsection (1) in its entirety
Renumber: subsequent subsections

12. Page 14, line 13.
Following: "(3)"
Strike: remainder of line 13
Insert: "Fees"

13. Page 14, line 14.
Following: "33-2-708"
Strike: ", "

14. Page 14, lines 17 through 19.
Following: "shall" on line 17
Strike: remainder of line 17 through "state" on line 19
Insert: "use fees generated under Title 33, chapter 2, to offset expenses incurred for the regulation of self-funded plans"

15. Page 17, line 11.
Strike: "non cancellable"
Insert: "noncancelable"

16. Page 17, line 7.
Strike: "be in favor"
Insert: "protect the assets"
Strike: "and"

17. Page 17, line 8.
Strike: "penalty"

18. Page 17, lines 12 and 13.
Following: "writing" on line 12
Strike: remainder of line 12 through "bond" on line 13
Following: "." on line 13
Insert: "A blanket bond covering one trust but not more than one administrator is acceptable."

19. Page 19, line 23.
Strike: "tax"
Insert: "fee"

20. Page 25.
Following: line 12
Insert: "NEW SECTION. Section 25. Choice of dental plan providers. A self-funded plan issued or amended on or after [the effective date of this act] that covers a dental care assistance plan and restricts the covered persons in the selection of the providers of dental services to a single provider or group of providers must offer an alternative dental care assistance plan that permits the covered persons to obtain dental care services from any licensed dental care provider of their choice. The portion of the premium paid by the

employer for the limiting plan must be comparable to but not greater than the portion of the premium paid by the employer for the alternative plan.

NEW SECTION. Section 26. Use of benefit trust funds. Any benefit trust established by or for a state political subdivision or pool of subdivisions must be used exclusively to provide benefits to trust beneficiaries."

Renumber: subsequent sections

21. Page 27.

Following: line 9

Insert: "(9) This code does not apply to the board of regents' group insurance program authorized under 2-18-702 for the benefit of employees of the university system and their dependents."

22. Page 30.

Following: line 22

Insert: "(2) When the annual statement referred to in subsection (1)(o)(ii) is filed with the commissioner, each registered self-funded plan must pay a fee to the commissioner of 14 cents a month per employee covered by the self-funded plan during the fiscal year of the annual statement."

Renumber: subsequent subsections

23. Page 31.

Following: line 18

Insert: "(1)"

24. Page 31, line 19.

Strike: "24"

Insert: "25"

25. Page 31, line 21.

Strike: "24"

Insert: "25"

26. Page 31.

Following: line 21

Insert: "(2) [Section 26] is intended to be codified as an integral part of Title 39, chapter 2, and the provisions of Title 39, chapter 2, apply to [section 26]."

And, as amended, do pass. Report adopted.

ADVERSE COMMITTEE REPORT

HB 9 - Representative Peck moved the 2/18/89 adverse committee report on HB 9 be laid on the table. Motion carried.

Representative Giacometto excused at this time.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence: 2/19/89

SB 100, introduced by Aklestad

SB 119, introduced by Harding

SB 128, introduced by Manning

SB 235, introduced by Hager

SB 236, introduced by Severson

SB 250, introduced by Beck

SB 260, introduced by B. Brown
SB 263, introduced by Hofman
SB 278, introduced by Thayer
SB 307, introduced by Hofman
SB 317, introduced by Eck
SB 321, introduced by Beck
SB 331, introduced by Bishop
SB 342, introduced by Hofman
SB 348, introduced by Nathe
SB 355, introduced by Farrell
SB 368, introduced by Keating
SB 402, introduced by Harp
SB 409, introduced by Gage
SB 429, introduced by Thayer
SJR 13, introduced by Meyer
SJR 15, introduced by Severson
SJR 16, introduced by Severson

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following Senate bills were introduced, read first time, and referred to committees:

SB 1, introduced by Anderson (by request of the Coal Tax Oversight Subcommittee), referred to Committee on Taxation
SB 3, introduced by Mazurek (by request of the Department of Revenue), referred to Committee on Natural Resources
SB 4, introduced by Hager (by request of the Department of Revenue), referred to Committee on Business and Economic Development
SB 5, introduced by Devlin (by request of the Department of Revenue), referred to Committee on Business and Economic Development
SB 8, introduced by Eck (by request of the Department of Revenue), referred to Committee on Natural Resources
SB 9, introduced by Harp, referred to Committee on State Administration
SB 11, introduced by Lynch (by request of the Legislative Council), referred to Committee on State Administration
SB 12, introduced by Halligan, referred to Committee on Judiciary
SB 14, introduced by Beck, referred to Committee on Local Government
SB 15, introduced by Halligan, referred to Committee on Human Services and Aging
SB 16, introduced by Weeding, referred to Committee on Business and Economic Development
SB 18, introduced by Williams, referred to Committee on Taxation
SB 21, introduced by Harp (by request of the Department of Revenue), referred to Committee on Judiciary
SB 22, introduced by Eck (by request of the Department of Revenue), referred to Committee on Judiciary
SB 23, introduced by Jergeson, referred to Committee on Judiciary
SB 24, introduced by Bishop, referred to Committee on Local Government
SB 26, introduced by Weeding, referred to Committee on Human Services and Aging
SB 27, introduced by Meyer (by request of the State Auditor), referred to Committee on Business and Economic Development

- SB 29**, introduced by Gage (by request of the Department of Natural Resources and Conservation), referred to Committee on Natural Resources
- SB 30**, introduced by Harp (by request of the Department of Revenue), referred to Committee on Taxation
- SB 31**, introduced by Gage, referred to Committee on Judiciary
- SB 33**, introduced by Bishop, referred to Committee on Fish and Game
- SB 36**, introduced by Hofman, referred to Committee on Judiciary
- SB 37**, introduced by Harding, referred to Committee on Local Government
- SB 38**, introduced by Regan, referred to Committee on Judiciary
- SB 39**, introduced by Bishop, referred to Committee on Fish and Game
- SB 40**, introduced by Bishop, referred to Committee on Local Government
- SB 41**, introduced by Abrams (by request of the State Auditor), referred to Committee on State Administration
- SB 42**, introduced by Eck (by request of the Department of Revenue), referred to Committee on Judiciary
- SB 43**, introduced by Rapp-Svrcek, referred to Committee on Business and Economic Development
- SB 45**, introduced by Mazurek, referred to Committee on Judiciary
- SB 46**, introduced by Mazurek, referred to Committee on Education and Cultural Resources
- SB 48**, introduced by Pipinich, referred to Committee on Fish and Game
- SB 49**, introduced by Rasmussen (by request of the Department of Administration), referred to Committee on Labor and Employment Relations
- SB 51**, introduced by Mazurek (by request of the Department of Revenue), referred to Committee on Taxation
- SB 52**, introduced by Crippen (by request of the Department of Revenue), referred to Committee on Taxation
- SB 53**, introduced by Harp (by request of the Department of Revenue), referred to Committee on Local Government
- SB 54**, introduced by Crippen (by request of the Department of Revenue), referred to Committee on Judiciary
- SB 55**, introduced by Harp (by request of the Department of Revenue), referred to Committee on Taxation
- SB 56**, introduced by Jenkins, referred to Committee on Fish and Game
- SB 57**, introduced by Jenkins, referred to Committee on Highways and Transportation
- SB 58**, introduced by Beck, referred to Committee on State Administration
- SB 61**, introduced by Harp, Stang (by request of the Department of Highways), referred to Committee on Highways and Transportation
- SB 62**, introduced by Farrell, J. Brown (by request of the Department of Highways), referred to Committee on Highways and Transportation
- SB 63**, introduced by Hager, Bradley, O'Keefe (by request of the Board of Medical Examiners), referred to Committee on Human Services and Aging
- SB 64**, introduced by Halligan, referred to Committee on Local Government
- SB 66**, introduced by Jacobson, referred to Committee on Judiciary
- SB 67**, introduced by Norman (by request of the Joint Interim Subcommittee on Welfare), referred to Committee on Labor and Employment Relations
- SB 68**, introduced by Rasmussen, referred to Committee on Judiciary

- SB 69**, introduced by Pinsoneault, referred to Committee on Local Government
- SB 70**, introduced by Norman, McLane (by request of the Joint Interim Subcommittee on Welfare), referred to Committee on Human Services and Aging
- SB 71**, introduced by Severson, Bishop, referred to Committee on Local Government
- SB 72**, introduced by Meyer, Campbell (by request of the Department of Highways), referred to Committee on Highways and Transportation
- SB 73**, introduced by Meyer, Campbell (by request of the Department of Highways), referred to Committee on Highways and Transportation
- SB 74**, introduced by Regan, Eck, Vaughn, Stimatz, Keating (by request of the Department of Family Services), referred to Committee on Human Services and Aging
- SB 75**, introduced by Jacobson, Bradley, Cobb, Keating, Jergeson, Simon, Gage (by request of the Legislative Audit Committee and the Department of Administration), referred to Committee on State Administration
- SB 76**, introduced by Regan, Gilbert, Williams, Weeding, referred to Committee on Business and Economic Development
- SB 77**, introduced by Nathe, Beck, referred to Committee on Local Government
- SB 78**, introduced by Regan, Himsl, Bardanouve (by request of the Legislative Finance Committee), referred to Committee on Appropriations
- SB 79**, introduced by Mazurek, referred to Committee on Judiciary
- SB 80**, introduced by Himsl, Van Valkenburg, Regan (by request of the Legislative Finance Committee), referred to Committee on Appropriations
- SB 81**, introduced by Pinsoneault, Harding, Harp, Hofman, Boylan, Westlake, Mercer, R. Nelson, Koehnke, referred to the Committee on Highways and Transportation
- SB 84**, introduced by Vaughn, referred to Committee on Judiciary
- SB 85**, introduced by Himsl, Norman (by request of the Department of Administration), referred to Committee on Business and Economic Development
- SB 86**, introduced by Vaughn, Spring, referred to Committee on State Administration
- SB 87**, introduced by Rasmussen, referred to Committee on Business and Economic Development
- SB 89**, introduced by B. Brown, referred to Committee on Education and Cultural Resources
- SB 90**, introduced by B. Brown (by request of the Department of Revenue), referred to Committee on Taxation
- SB 91**, introduced by Manning, Beck, Tveit, Campbell, Hansen, Grady, Nathe, McLane, Boylan, Weeding, Keller, Darko, Moore, Anderson, Devlin, referred to Committee on Natural Resources
- SB 94**, introduced by Bengtson, Koehnke, referred to Committee on Highways and Transportation
- SB 95**, introduced by Rasmussen, Schye, Nisbet, Grady, Gilbert, Lynch, Hannah, Harper, Thomas, Mazurek, Giacometto, D. Brown, O'Keefe, Whalen, Rice, Simpkins, referred to Committee on State Administration
- SB 98**, introduced by Aklestad, Beck, Vaughn, referred to Committee on Highways and Transportation

- SB 99**, introduced by Aklestad (by request of the Joint Interim Subcommittee on Welfare), referred to Committee on Labor and Employment Relations
- SB 101**, introduced by Aklestad (by request of the Joint Interim Subcommittee on Welfare), referred to Committee on Human Services and Aging
- SB 103**, introduced by Jergeson, Stang, Yellowtail, referred to Committee on Judiciary
- SB 105**, introduced by Mazurek, Beck, Addy, Giacometto, Patterson, Phillips, Lee, Jacobson, Manning, B. Brown, referred to Committee on Judiciary
- SB 106**, introduced by Pinsoneault (by request of the Department of Justice), referred to Committee on Judiciary
- SB 107**, introduced by Pinsoneault (by request of the Department of Justice), referred to Committee on Judiciary
- SB 108**, introduced by Pinsoneault (by request of the Department of Justice), referred to Committee on Judiciary
- SB 110**, introduced by Jacobson, Cobb, Bradley, Nathe (by request of the Department of Administration), referred to Committee on State Administration
- SB 113**, introduced by Tveit, Gilbert, Devlin, Lynch, Noble, Steppler (by request of the Department of Family Services), referred to Committee on Judiciary
- SB 114**, introduced by Harp, Jacobson, Simon, Daily, Wyatt, Good, Gould, referred to Committee on State Administration
- SB 115**, introduced by Lynch, Daily, Quilici, Harper, Pipinich, Vincent, Van Valkenburg, Vaughn, Pavlovich, Crippen, Harrington, Jergeson, Hansen, Manning, Galt, Blaylock, Jacobson, Gage, Stimatz, Abrams (by request of the Department of Commerce), referred to Committee on Business and Economic Development
- SB 116**, introduced by Norman, Keating (by request of the Judicial Branch), referred to the Committee on Appropriations
- SB 118**, introduced by Beck, Rapp-Svrcek, Campbell, Marks, Stang, referred to Committee on Taxation
- SB 120**, introduced by Harding (by request of the Department of Health and Environmental Sciences), referred to Committee on Judiciary
- SB 121**, introduced by Jergeson, Jacobson, Keating, Simon, Cobb, Bradley, Gage (by request of the Legislative Audit Committee), referred to Committee on State Administration
- SB 122**, introduced by Nathe, Regan, referred to Committee on Judiciary
- SB 123**, introduced by Beck, Campbell, referred to Committee on Highways and Transportation
- SB 124**, introduced by Hager, Squires, Halligan, referred to Committee on Human Services and Aging
- SB 125**, introduced by Nathe, referred to Committee on State Administration
- SB 127**, introduced by Nathe, referred to Committee on Labor and Employment Relations
- SB 129**, introduced by Manning, McLane, Norman, Pipinich, Regan, O'Keefe, Walker, Connelly, J. Brown, Bradley (by request of the Joint Interim Subcommittee on Welfare), referred to Committee on Human Services and Aging
- SB 130**, introduced by Manning, McLane, Norman, Pipinich, Regan, Walker, Lynch, Connelly, J. Brown, Bradley, O'Keefe (by request of

- the Joint Interim Subcommittee on Welfare), referred to Committee on Human Services and Aging
- SB 131**, introduced by Mazurek, referred to Committee on Judiciary
- SB 132**, introduced by Mazurek, referred to Committee on Taxation
- SB 134**, introduced by Manning, McLane, Pipinich, Norman, Regan, Walker, Lynch, Connelly, J. Brown, Bradley, O'Keefe (by request of the Joint Interim Subcommittee on Welfare), referred to Committee on Labor and Employment Relations
- SB 135**, introduced by Halligan, Mercer, referred to Committee on Judiciary
- SB 136**, introduced by Nathe, referred to Committee on Education and Cultural Resources
- SB 137**, introduced by Nathe, referred to Committee on Taxation
- SB 138**, introduced by B. Brown, Lynch, Weeding, McLane, referred to Committee on Business and Economic Development
- SB 139**, introduced by Hager, referred to Committee on Taxation
- SB 140**, introduced by Jergeson, Mercer, Spaeth, Harp, referred to Committee on Judiciary
- SB 141**, introduced by Harding, referred to Committee on Local Government
- SB 143**, introduced by McLane, Anderson, Beck, Roth, Giacometto, Grady, Lynch, Swysgood, Eudaily, Addy, Rasmussen, Driscoll, Bishop, Hansen, Menahan, referred to Committee on Human Services and Aging
- SB 145**, introduced by Eck, Spaeth, referred to Committee on Judiciary
- SB 146**, introduced by Hager (by request of the Department of Family Services), referred to Committee on Human Services and Aging
- SB 147**, introduced by Vaughn (by request of the Department of Commerce), referred to Committee on Human Services and Aging
- SB 148**, introduced by Halligan, referred to Committee on Highways and Transportation
- SB 150**, introduced by Bishop (by request of the Department of Commerce), referred to Committee on Business and Economic Development
- SB 151**, introduced by Jacobson, Hansen, Walker, Pavlovich, Norman, Rasmussen, Harper, Grady, referred to Committee on Business and Economic Development
- SB 153**, introduced by Rasmussen, Mazurek, Yellowtail, Boylan, Anderson, McLane, Crippen, referred to Committee on Labor and Employment Relations
- SB 154**, introduced by Nathe, Cobb (by request of the Department of State Lands), referred to Committee on Natural Resources
- SB 156**, introduced by Halligan (by request of the Department of Labor and Industry), referred to Committee on Labor and Employment Relations
- SB 157**, introduced by Nathe, Regan, Eck, referred to Committee on Judiciary
- SB 159**, introduced by Blaylock (by request of the Department of Labor and Industry), referred to Committee on Labor and Employment Relations
- SB 160**, introduced by Blaylock (by request of the Department of Labor and Industry), referred to Committee on Labor and Employment Relations
- SB 161**, introduced by Harp (by request of the Department of State Lands), referred to Committee on Natural Resources

- SB 164**, introduced by Rasmussen, Hannah, Good, Keating, Giacometto, Rice, Lee, Hayne, O'Connell, Crippen, Story, Ramirez, Wallin, Peck, Koehnke, Harding, referred to Committee on Judiciary
- SB 166**, introduced by Bengtson, Galt, Story, Stimatz, Spaeth, Marks, Bradley, Iverson, referred to Committee on Natural Resources
- SB 167**, introduced by Bengtson, Galt, Story, Stimatz, Spaeth, Marks, Bradley, Iverson, referred to Committee on Agriculture, Livestock, and Irrigation
- SB 168**, introduced by Bengtson, Galt, Story, Stimatz, Spaeth, Marks, Bradley, Iverson, referred to Committee on Agriculture, Livestock, and Irrigation
- SB 169**, introduced by Bengtson, Galt, Story, Stimatz, Spaeth, Marks, Bradley, Iverson, referred to Committee on Agriculture, Livestock, and Irrigation
- SB 170**, introduced by Jergeson, Bachini, Peck, Thomas, McLane, referred to Committee on Judiciary
- SB 171**, introduced by Pinsonneault (by request of the Department of Justice), referred to Committee on State Administration
- SB 173**, introduced by Vaughn, Darko, Peterson, Pavlovich, Harp, Bishop, Rapp-Svrcek, referred to Committee on Fish and Game
- SB 174**, introduced by Eck, Bradley (by request of the Department of Commerce), referred to Committee on State Administration
- SB 175**, introduced by Beck, Campbell (by request of the Department of Justice), referred to Committee on Business and Economic Development
- SB 176**, introduced by Devlin, Patterson, Nathe, Galt, Spaeth, L. Nelson, Hanson, Zook, Kasten (by request of the Department of State Lands), referred to Committee on Agriculture, Livestock, and Irrigation
- SB 177**, introduced by Yellowtail (by request of the Department of Revenue), referred to Committee on Judiciary
- SB 178**, introduced by Yellowtail, McLane, Harp, Lynch, McDonough, Gould, Rasmussen, Walker, Manning, referred to Committee on State Administration
- SB 179**, introduced by Walker, Jacobson, Norman, Harding, Hansen, Pavlovich, Rasmussen, Harper, Lynch, Manning, referred to Committee on Business and Economic Development
- SB 180**, introduced by Mazurek, referred to Committee on Judiciary
- SB 181**, introduced by Mazurek (by request of the Department of Health and Environmental Sciences), referred to Committee on Human Services and Aging
- SB 182**, introduced by Keating, Addy, Hager, Schye, Lynch, Connelly, Simon, Good, Tveit, Hansen, Mercer, Rasmussen, Abrams, referred to Committee on Business and Economic Development
- SB 183**, introduced by Abrams (by request of the Department of Natural Resources and Conservation), referred to Committee on Natural Resources
- SB 184**, introduced by Severson, Patterson, Hammond, Beck, Hannah, Ellison, Boylan, Anderson, McLane, Hager, Story, Swift, Hofman, Giacometto, Bishop, Noble, Crippen, Thoft, Glaser, Keller, Rehberg, Thomas, Kasten, Zook, DeBruycker, Cobb, Mercer, Marks, Koehnke, Westlake, Campbell, Hayne, Rice, Keating, Guthrie, Grady, Devlin, Bishop, B. Brown, referred to Committee on Taxation
- SB 186**, introduced by Boylan, Harp, Wallin, Giacometto, Westlake, Patterson, referred to Committee on Labor and Employment Relations
- SB 188**, introduced by Rapp-Svrcek, Jergeson, O'Keefe, B. Brown, referred to Committee on State Administration

- SB 189**, introduced by Pipinich, Van Valkenburg, Weeding, Norman, Nathe, Squires, Menahan, Regan, Williams, Driscoll, Manning, Vaughn, Quilici, Moore, Noble, McLane, Yellowtail, Jacobson, Halligan, Abrams, Davis, Rapp-Svrcek (by request of the Department of Health and Environmental Sciences), referred to Committee on Human Services and Aging
- SB 192**, introduced by Jacobson, Gage, Jergeson, Peck (by request of the Legislative Audit Committee and the Legislative Finance Committee), referred to Committee on Appropriations
- SB 193**, introduced by Jacobson, Gage, Jergeson, Peck (by request of the Legislative Audit Committee and the Legislative Finance Committee), referred to Committee on Appropriations
- SB 194**, introduced by Boylan, referred to Committee on State Administration
- SB 195**, introduced by Keating, Jacobson, Gage, Jergeson, Cobb, Simon, Bradley (by request of the Legislative Audit Committee), referred to Committee on State Administration
- SB 196**, introduced by Yellowtail, Crippen, Beck, Pinsoneault, Bishop, Mazurek, Halligan, Harp, B. Brown, (by request of the Senate Judiciary Committee), referred to Committee on State Administration
- SB 199**, introduced by Walker, Gilbert, McCormick, Strizich, Halligan, Smith, Harp, referred to Committee on Judiciary
- SB 200**, introduced by Manning, Gage, Nisbet (by request of the Department of Commerce), referred to Committee on State Administration
- SB 201**, introduced by Keating, Gilbert, Tveit, Smith, Rehberg, Harp, Ellison, Iverson, Ramirez, Cobb, Galt, Boylan, Guthrie, Walker, referred to Committee on Natural Resources
- SB 202**, introduced by Thayer, Rasmussen, Grady, Keating, Boylan, Spaeth, Harp, Nathe, Williams, Noble, referred to Committee on Labor and Employment Relations
- SB 204**, introduced by Norman, Mazurek, referred to Committee on Judiciary
- SB 206**, introduced by Devlin, Hanson, Kasten, B. Brown, Iverson, Spaeth, Abrams, referred to Committee on Taxation
- SB 207**, introduced by B. Brown, Halligan, Harp, Himsl, Connelly, Darko, Harding, Vaughn, Walker, Cohen, Smith, Lee, R. Nelson, Mercer, Owens, referred to Committee on Business and Economic Development
- SB 209**, introduced by B. Brown, referred to Committee on Judiciary
- SB 210**, introduced by Devlin, Zook, Hanson, Spaeth, Mazurek, referred to Committee on State Administration
- SB 213**, introduced by Hofman, Spring, Anderson, Keating, Jenkins, Noble, Beck, Harding, Story, referred to Committee on Agriculture, Livestock, and Irrigation
- SB 214**, introduced by Pipinich (by request of the Department of Family Services), referred to Committee on Human Services and Aging
- SB 215**, introduced by Halligan, Harper, Pipinich, Bradley, Williams, Rapp-Svrcek (by request of the Department of Commerce), referred to Committee on Business and Economic Development
- SB 216**, introduced by Manning, Norman, Nisbet, referred to Committee on Highways and Transportation
- SB 218**, introduced by Thayer (by request of the Division of Workers' Compensation), referred to Committee on Labor and Employment Relations
- SB 219**, introduced by Walker, Driscoll, Pipinich, Ream, Bishop, referred to Committee on Fish and Game

- SB 221**, introduced by Tveit, Steppler, Gilbert, Devlin, L. Nelson, Johnson, Keller, Hayne, T. Nelson, Weeding, Anderson, Jergeson, Abrams, referred to Committee on Highways and Transportation
- SB 222**, introduced by Tveit, Johnson, Gilbert, Devlin, L. Nelson, Steppler, Keller, Hayne, T. Nelson, Anderson, Abrams, Weeding, Jergeson, referred to Committee on Agriculture, Livestock, and Irrigation
- SB 223**, introduced by Keating, Giacometto, Hanson, Kasten, Pavlovich, Galt, Zook, referred to Committee on Natural Resources
- SB 226**, introduced by Himsl, Harding, B. Brown, Harp, Pinsoneault, Manning, referred to Committee on Taxation
- SB 227**, introduced by Himsl, Harding, B. Brown, Harp, Pinsoneault, referred to Committee on Natural Resources
- SB 229**, introduced by Boylan, Vincent, referred to Committee on Business and Economic Development
- SB 231**, introduced by Pipinich, Moore, Williams, Weeding, Rapp-Svrcek, Van Valkenburg, referred to Committee on Fish and Game
- SB 232**, introduced by Keating, Nathe, Gilbert, referred to Committee on State Administration
- SB 233**, introduced by Manning, Grady, referred to Committee on Agriculture, Livestock, and Irrigation
- SB 237**, introduced by Severson, Swift, Anderson, Thomas, Bishop, B. Brown, referred to Committee on Fish and Game
- SB 240**, introduced by Jenkins, referred to Committee on Fish and Game
- SB 241**, introduced by Mazurek, Spaeth, Cobb, Beck, Campbell, O'Connell, Rasmussen, referred to Committee on State Administration
- SB 242**, introduced by Harp (by request of the Department of Highways), referred to Committee on Highways and Transportation
- SB 243**, introduced by Keating, Cobb, Jacobson, Simon, Gage, Jergeson, Bradley (by request of the Legislative Audit Committee), referred to Committee on Natural Resources
- SB 249**, introduced by Harp, B. Brown, Glaser, Hager, McLane, Blaylock, Bengtson, referred to Committee on Local Government
- SB 251**, introduced by Harding, Williams, Bachini, referred to Committee on Business and Economic Development
- SB 252**, introduced by Harding, Mercer, referred to Committee on Local Government
- SB 253**, introduced by Hofman, Noble, Anderson, Keating, Harp, referred to Committee on Taxation
- SB 255**, introduced by Aklestad, referred to Committee on Labor and Employment Relations
- SB 256**, introduced by McLane, Keller, Weeding, Spaeth, Campbell, Giacometto, Bishop, Noble, referred to Committee on Highways and Transportation
- SB 257**, introduced by Rapp-Svrcek, Abrams, Grady, referred to Committee on Taxation
- SB 258**, introduced by Pinsoneault (by request of the Board of Pardons), referred to Committee on Judiciary
- SB 259**, introduced by Williams, Harper (by request of the Department of Health and Environmental Sciences), referred to Committee on State Administration
- SB 261**, introduced by Bishop, Ramirez, referred to Committee on Natural Resources
- SB 266**, introduced by Walker, Norman, Jacobson, Vaughn, Eck, Cody, Bishop, Harp, Halligan, B. Brown, Cocchiarella, Raney, Addy, referred to Committee on Judiciary

- SB 267**, introduced by Meyer, Simpkins, referred to Committee on Agriculture, Livestock, and Irrigation
- SB 271**, introduced by Manning, Walker, Nathe, Vaughn, Thomas, Gage, Anderson, Spaeth, Schye, Gould, Clark, referred to Committee on Local Government
- SB 276**, introduced by Blaylock (by request of the Department of Labor and Industry), referred to Committee on Labor and Employment Relations
- SB 280**, introduced by Boylan, Meyer, referred to Committee on Business and Economic Development
- SB 281**, introduced by Mazurek, Boylan (by request of the Superintendent of Public Instruction), referred to Committee on Education and Cultural Resources
- SB 282**, introduced by Halligan, Vincent, Gage, Crippen, Farrell, Norman, referred to Committee on Taxation
- SB 283**, introduced by Crippen, Van Valkenburg, referred to Committee on Taxation
- SB 284**, introduced by Thayer, Stang, referred to Committee on Business and Economic Development
- SB 285**, introduced by Halligan, referred to Committee on Labor and Employment Relations
- SB 286**, introduced by Beck, Campbell, Story, Ellison, Swysgood, Gage, Keating, Cody, McCormick, Farrell, Devlin, McLane, Lynch, Meyer, Grady, Hammond, Harp, Spaeth, Severson, Jenkins, B. Brown, Bishop, Rasmussen, Crippen, Boylan, Noble, Halligan, Aklestad, Nathe, Thayer, Spring, O'Keefe, Galt, Keller, Hannah, Walker, Iverson, Giacometto, Ream, J. Brown, Squires, Hansen, Russell, Anderson, L. Nelson, DeBruycker, Moore, Driscoll, Hoffman, Mazurek, Peck, Zook, Darko, Rehberg, Roth, Good, Hofman, referred to Committee on State Administration
- SB 287**, introduced by Lynch, Harrington, Norman, Blaylock, Walker, Stickney, Meyer, Whalen, Cohen, Connelly, Anderson, Moore, Wyatt, Van Valkenburg, Quilici, Daily, Pavlovich, Strizich, Gage, Manning, Pipinich, Grady, Mazurek, Farrell, Halligan, Yellowtail, Beck, Harper, McLane, Vaughn, Stimatz, Jacobson, Crippen, Menahan, Rasmussen, B. Brown, Harp, Rapp-Svrcek, Hager, Thayer, Bishop, Addy, Eck, Bardanouve, Vincent, Himsl, Driscoll, Bachini, Squires, McDonough, Cocchiarella, J. Brown, Koehnke, Davis, Brooke, O'Connell, McCormick, Gervais, Kimberley, Russell, Kilpatrick, D. Brown, Nisbet, Johnson, referred to Committee on Taxation
- SB 289**, introduced by Hager, referred to Committee on Human Services and Aging
- SB 293**, introduced by Mazurek, Elliott, Van Valkenburg, Darko, Cohen, O'Keefe, Gould, L. Nelson, Cocchiarella, Brooke, Connelly, Peterson, Rehberg, Spring, McDonough, Wyatt, Peck, Bachini, Good, Bradley, Lee, Gervais, Campbell, Zook, Hoffman, Vincent, Giacometto, Knapp, Keller, Harper, Addy, Menahan, Driscoll, Stang, Bardanouve, Russell, Stickney, Kilpatrick, Clark, Daily, Pavlovich, Spaeth, Mercer, Thomas, Patterson, Simon, Phillips, Iverson, O'Connell, McCormick, Squires, Kadas, Hansen, Davis, Koehnke, Rapp-Svrcek, Moore, referred to Committee on Judiciary
- SB 294**, introduced by Rapp-Svrcek, Darko, Elliott, Peterson, Vaughn (by request of the Department of Fish, Wildlife, and Parks), referred to Committee on Fish and Game
- SB 295**, introduced by Hager, referred to Committee on Natural Resources

- SB 296**, introduced by Hager, referred to Committee on State Administration
- SB 297**, introduced by Hammond, Harp, Daily, D. Brown, Kadas, Bengtson, Beck, Thayer, referred to Committee on State Administration
- SB 298**, introduced by Farrell, Squires, Cohen, referred to Committee on Business and Economic Development
- SB 300**, introduced by Aklestad, Galt, Abrams, Beck, Norman (by request of the Senate Agriculture Committee), referred to Committee on Agriculture, Livestock, and Irrigation
- SB 302**, introduced by Mazurek, Vincent, Peck, Cohen, Crippen, Whalen, Spaeth, Cocchiarella, Swysgood, Ream, Quilici, Pavlovich, Gervais, Eudaily, Russell, Addy, Kimberley, Stickney, Kilpatrick, Daily, Strizich, Bradley, Harper, Mercer, Thomas, Kasten, Patterson, Lee, Simon, Vaughn, Eck, Phillips, Zook, Clark, Yellowtail, Hoffman, Kadas, Swift, Pinsoneault, Hansen, Darko, Brooke, T. Nelson, McDonough, Knapp, Rehberg, Driscoll, Stang, Jacobson, McLane, Nathe, Pipinich, Bengtson, Weeding, Williams, Norman, Beck, Rapp-Svrcek, Hager, B. Brown, Himsl, Severson, Bishop, Halligan, Gage, Farrell, Hammond, referred to Committee on Taxation
- SB 304**, introduced by Regan (by request of the Board of Regents), referred to Committee on Education and Cultural Resources
- SB 305**, introduced by Jergeson, referred to Committee on Natural Resources
- SB 308**, introduced by Van Valkenburg, Gage, B. Brown, Mercer, Strizich (by request of the Department of Justice), referred to Committee on Appropriations
- SB 309**, introduced by Hofman, Keating, Anderson, J. Brown, referred to Committee on Labor and Employment Relations.
- SB 310**, introduced by McLane, Spaeth, Van Valkenburg, Lynch, Menahan, Jacobson, Daily, Ramirez, Hayne, referred to Committee on Business and Economic Development
- SB 312**, introduced by Pinsoneault, Mercer, Boylan, Ellison, Vaughn, Beck, Thayer, Westlake, Williams, Farrell, Bengtson, Galt, Anderson, Gage, Crippen, McLane, Hammond, Noble, B. Brown, Gilbert, Owens, Smith, Hayne, Story, Patterson, DeBruycker, Zook, Marks, Glaser, Wallin, Giacometto, referred to Committee on Judiciary
- SB 314**, introduced by Regan, Nathe, Blaylock, Eck, B. Brown, Halligan, Jergeson, Hager, Pinsoneault, Vaughn, Jacobson, Farrell, Anderson, Manning, Mazurek, referred to Committee on Judiciary
- SB 320**, introduced by Manning, Walker, Pavlovich, Quilici (by request of the Department of Livestock), referred to Committee on Agriculture, Livestock, and Irrigation
- SB 322**, introduced by Van Valkenburg, Ramirez, referred to Committee on Judiciary
- SB 323**, introduced by Vaughn (by request of the Department of Health and Environmental Sciences), referred to Committee on Business and Economic Development
- SB 324**, introduced by Beck, Campbell, referred to Committee on Judiciary
- SB 325**, introduced by Yellowtail, Boylan, Stickney, Bachini, Russell, Connelly, referred to Committee on State Administration
- SB 326**, introduced by Yellowtail, referred to Committee on Business and Economic Development
- SB 330**, introduced by Beck, Thomas, Thayer, referred to Committee on Business and Economic Development

- SB 332**, introduced by Manning, Harrington, Daily, referred to Local Government
- SB 333**, introduced by Mazurek, Crippen, Bishop, referred to Committee on Judiciary
- SB 338**, introduced by Mazurek, referred to Committee on Judiciary
- SB 340**, introduced by Williams, Marks, Lynch, Keating, Walker, Hager, Crippen, Regan, B. Brown, Driscoll, Harp, Iverson, Hannah, Norman, Good, Mazurek, Jacobson, Harrington, Bishop, Noble, Pavlovich, Quilici, D. Brown, Connelly, Menahan, Darko, McCormick, Wallin, Wyatt, Boylan, Devlin, Meyer, Pipinich, Vaughn, Ream, Peck, Smith, McDonough, Manning, O'Keefe, Stimatz, Pinsoneault, T. Nelson, Strizich, Gould, referred to Committee on Human Services and Aging
- SB 341**, introduced by B. Brown, Norman, Hager, Crippen, Raney, Gould, Rehberg, Harp, Ramirez, Halligan, Walker, Gage, Eck, Severson, Mazurek, Gilbert, Quilici, Driscoll, Bishop, Ream, Giacometto, Harrington, Stang, Schye, D. Brown (by request of the Senate Taxation Committee), referred to Committee on Taxation
- SB 346**, introduced by B. Brown, referred to Committee on State Administration
- SB 347**, introduced by Van Valkenburg, Mercer, Pinsoneault, Halligan, Stimatz, Addy, Spaeth, Mazurek, Crippen, Bradley, Bishop, Cobb, referred to Committee on Judiciary
- SB 356**, introduced by Mazurek, O'Keefe, Nathe, Weeding, Williams, Lynch, Boylan, Hannah, Gervais, referred to Committee on State Administration
- SB 364**, introduced by Thayer, referred to Committee on Business and Economic Development
- SB 365**, introduced by Beck, Campbell (by request of the Attorney General), referred to Committee on Business and Economic Development
- SB 366**, introduced by Beck, Campbell (by request of the Attorney General), referred to Committee on Business and Economic Development
- SB 391**, introduced by Bishop, referred to Committee on Judiciary
- SJR 2**, introduced by Severson, Halligan, Thomas, Swift, Ream, Rehberg, Mercer, Ramirez, Hoffman, referred to Committee on State Administration
- SJR 6**, introduced by Rapp-Svrcek, Halligan, Eudaily, Harrington, Pipinich, Lynch, Rice, Mazurek, Hannah, Kimberley, Grady, Brooke, O'Keefe, Rehberg, Pavlovich, Harper, Simpkins, Simon, Driscoll, Hansen, Glaser, J. Brown, Ramirez, Bishop, Strizich, Nisbet, O'Connell, Wyatt, McCormick, Phillips, Gould, referred to Committee on Education and Cultural Resources
- SJR 7**, introduced by Thayer, J. Brown, Galt, Crippen, Cody, Meyer, O'Connell, DeBruycker, Severson, Norman, Ramirez, Blaylock, Bachini, Good, DeMars, Giacometto, Devlin, Gilbert, Addy, Vincent, O'Keefe, Harper, Stickney, L. Nelson, Steppler, Hoffman, Rehberg, Johnson, Simon, Lee, Knapp, Keller, Smith, Peterson, Thomas, Kilpatrick, Anderson, Nathe, Bishop, Beck, referred to Committee on State Administration
- SJR 8**, introduced by Mazurek, Gervais, Spaeth, Peck, Campbell, Devlin, Grady, Severson, Eudaily, Rice, Marks, Keating, Pavlovich, Farrell, Rapp-Svrcek, Nathe, Johnson, Phillips, Vincent, Harper, Abrams, J. Brown, Squires, Blaylock, Hayne, O'Keefe, Schye, Bachini, Lynch, Raney, Galt, Moore, Gage, Halligan, Stickney, Van Valkenburg, Driscoll, Vaughn, Rasmussen, Hammond, Darko, Tveit, B. Brown,

Menahan, Hannah, Daily, Bengtson, Cocchiarella, Owens, Peterson, O'Connell, Quilici, Connelly; Jenkins, referred to Committee on State Administration

SJR 11, introduced by Beck, Galt, Thayer, Devlin, Patterson, Westlake, Campbell, Koehnke, Bengtson, Abrams, Williams, Story, Jergeson, Steppler, L. Nelson, Aklestad, Zook, Kasten (by request of the Senate Agriculture Committee), referred to Committee on Agriculture, Livestock, and Irrigation

MOTIONS

Representative D. Brown moved HB 716 be taken from the Committee on Judiciary and rereferred to the Committee on Appropriations. Motion carried.

Representative Hannah moved HB 373 be taken from the Committee on State Administration and rereferred to the Committee on Appropriations. Motion carried.

Representative Pavlovich moved consideration of HB 700 be placed below HB 730 on second reading this legislative day. Motion carried.

Representative Raney moved consideration of HJR 29 be placed below HJR 28 on second reading this legislative day. Motion carried.

Representative Giacometto present at this time.

Representative Marks moved HB 726 be taken from the Committee on Local Government and be printed and placed on second reading this legislative day. Motion failed. (48-52)

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Pavlovich in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 701 - Representative Swysgood moved HB 701 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Steppler, Thoft.
Total 2

Excused: Spaeth.

Total 1

Absent or not voting: Kadas, Marks.

Total 2

Representatives Bradley and Spaeth present at this time.

HB 706 - Representative T. Nelson moved HB 706 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Marks.

Total 1

HB 710 - Representative Driscoll moved HB 710 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Grinde, Swysgood, Thoft, Wallin.

Total 4

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 711 - Representative Cobb moved HB 711 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.
Total 95

Noes: Driscoll, Stang, Wyatt.
Total 3

Excused: None.
Total 0

Absent or not voting: Harrington, Marks.
Total 2

HB 715 - Representative Ream moved HB 715 do pass.

Representative Ream made a substitute motion to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative Ream moved HB 715, second reading copy, be amended as follows:

1. Page 12, line 21.

Following: "[section 4]"

Insert: " , provided that nothing in [this act] or in the rules adopted by the department shall preclude or limit livestock grazing in the streamside management zone"

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 100

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Representative O'Keefe moved HB 715, second reading copy, be amended as follows:

1. Page 6, line 21.

Following: "stream"

Insert: "or lake"

2. Page 7, line 4.

Following: "soils."

Insert: "The zone for a lake encompasses a border around the lake extending at least 25 feet inland from the shoreline and increasing in width to include adjacent wetlands and areas of steep slopes or erosive soils."

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Grinde, Hannah, Hansen, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Lee, McCormick, McDonough, Menahan, Mercer, Moore, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Spaeth, Squires, Stickney, Strizich, Thomas, Wallin, Whalen, Wyatt, Mr. Speaker.

Total 71

Noes: Campbell, Clark, DeBruycker, DeMars, Ellison, Gilbert, Guthrie, Hanson, Hayne, Kasten, Keller, Koehnke, Marks, L. Nelson, R. Nelson, T. Nelson, Owens, Peterson, Phillips, Schye, Smith, Spring, Stang, Stepler, Swift, Swysgood, Thoft, Westlake, Zook.

Total 29

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Moore moved HB 715, second reading copy, be amended. Amendment failed. (31-65)

Thereupon, HB 715 failed as follows:

Ayes: Addy, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Daily, Driscoll, Gervais, Hansen, Harper, Harrington, Johnson, Kadas, Kilpatrick, Kimberley, McDonough, Menahan, Moore, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, Russell, Schye, Spaeth, Squires, Stepler, Stickney, Strizich, Whalen, Wyatt, Mr. Speaker.

Total 40

Noes: Aafedt, Bachini, Boharski, Campbell, Clark, Cobb, Cody, Compton, Darko, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Iverson, Kasten, Keller, Knapp, Koehnke, Lee, Marks, McCormick, Mercer, L. Nelson, R. Nelson, T. Nelson, O'Connell, Owens, Patterson, Peterson, Phillips, Ramirez, Rehberg, Rice, Roth, Simon, Simpkins, Smith, Spring, Stang, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Zook.

Total 59

Excused: None.
Total 0

Absent or not voting: Davis.
Total 1

HB 719 - Representative Menahan moved HB 719 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Schye, Simon, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 87

Noes: Cohen, DeBruycker, Guthrie, Kasten, Lee, R. Nelson, Roth, Simpkins, Smith, Thomas.
Total 10

Excused: None.
Total 0

Absent or not voting: Bachini, Clark, Gilbert.
Total 3

Representative Daily assumed the Chair at this time.

HB 720 - Representative Giacometto moved HB 720 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Cohen, Raney.
Total 2

Excused: None.
Total 0

Absent or not voting: Darko, Ellison.
Total 2

HB 729 - Representative Hannah moved HB 729, second reading copy, be amended as follows:

1. Page 1, line 22.

Following: "amended"

Insert: "as of January 1, 1991"

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Keller, Kilpatrick, Kimberley, Knapp, Lee, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Whalen, Zook, Mr. Speaker.

Total 87

Noes: Elliott, Good, Kadas, Kasten, Koehnke, O'Keefe, Westlake, Wyatt.

Total 8

Excused: None.

Total 0

Absent or not voting: Clark, Marks, Menahan, Ramirez, Roth.

Total 5

Representative Hannah moved HB 729, as amended, do pass.

Representative Brooke made a substitute motion consideration of HB 729 be placed below HB 616 on the second reading board.

Representative Hannah made a substitute motion consideration of HB 729 be placed below HB 518 on the second reading board. Motion carried.

HB 730 - Representative Spaeth moved HB 730 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Mr. Speaker.

Total 91

Noes: Brooke, Connelly, Gilbert, Hoffman, R. Nelson, T. Nelson, Wyatt.

Total 7

Excused: Zook.

Total 1

Absent or not voting: Iverson.

Total 1

Representative Strizich excused at this time.

HB 700 - Representative Bradley moved HB 700, second reading copy, be amended. Amendment failed. (43-55)

Representative Pavlovich moved HB 700 do pass. Motion carried as follows:

Ayes: Aafedt, Blotkamp, Boharski, D. Brown, Campbell, Clark, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harrington, Hayne, Hoffman, Iverson, Johnson, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, Menahan, Mercer, Moore, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Roth, Russell, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Swift, Swysgood, Thoft, Thomas, Westlake, Whalen, Wyatt, Zook.

Total 77

Noes: Addy, Bachini, Bardanouve, Bradley, Brooke, J. Brown, Cobb, Cocchiarella, Cohen, Harper, Kadas, Kasten, McDonough, L. Nelson, R. Nelson, Ream, Rice, Schye, Simon, Stepler, Wallin, Mr. Speaker.

Total 22

Paired: Swysgood, Thoft, Ayes; Brooke, Kadas, Noes.

Excused: Strizich.

Total 1

Absent or not voting: None.

Total 0

Representatives Swysgood and Thoft excused at this time.

Representative Pavlovich resumed the Chair at this time.

HB 732 - Representative Simon moved HB 732 do pass. Motion failed as follows:

Ayes: Aafedt, Bardanouve, Blotkamp, Boharski, Cobb, Cohen, Connelly, Daily, Davis, Ellison, Gervais, Glaser, Good, Gould, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Knapp, Moore, T. Nelson, O'Connell, Patterson, Pavlovich, Simon, Smith, Thomas, Wallin, Whalen, Wyatt.

Total 32

Noes: Addy, Bachini, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Compton, Darko, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Giacometto, Gilbert, Grady, Guthrie, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, Nisbet, O'Keefe, Owens, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simpkins, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Swift, Westlake, Zook, Mr. Speaker.

Total 65

Excused: Strizich, Swysgood, Thoft.

Total 3

Absent or not voting: None.

Total 0

HB 733 - Representative Brooke moved HB 733 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Glaser, Good, Grady, Grinde, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Swift, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 83

Noes: DeBruycker, Ellison, Gilbert, Gould, Guthrie, Kasten, Keller, Patterson, Peterson, Phillips, Wallin.

Total 11

Excused: Strizich, Swysgood, Thoft.

Total 3

Absent or not voting: Blotkamp, Cobb, Hanson.

Total 3

Representative Harper moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Pavlovich moved the adoption of the committee report. Report adopted. (89-7)

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

2/21/89

Correctly enrolled: HB 146.

Examined by the sponsor and found to be correct:

HB 146 - Strizich

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 84 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Swift, Thomas, Westlake, Whalen, Mr. Speaker.

Total 80

Noes: Boharski, Campbell, Clark, Compton, Ellison, Hannah, Hanson, Hayne, Kasten, Koehnke, T. Nelson, O'Keefe, Simon, Wallin, Wyatt, Zook.

Total 16

Excused: Strizich, Swysgood, Thoft.

Total 3

Absent or not voting: Gervais.

Total 1

HB 317 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Ellison, Gilbert.

Total 2

Excused: Strizich, Swysgood, Thoft.

Total 3

Absent or not voting: Knapp.

Total 1

HB 377 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Roth, Russell, Schye, Simon, Spaeth, Squires, Stang, Steppler, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 84

Noes: Boharski, Clark, Glaser, Good, Lee, R. Nelson, T. Nelson, Rice, Simpkins, Spring, Stickney.

Total 11

Excused: Strizich, Swysgood, Thoft.

Total 3

Absent or not voting: Ramirez, Smith.

Total 2

HB 383 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman,

Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stickney, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 87

Noes: Campbell, Cobb, Good, Guthrie, Peck, Stang, Steppler.

Total 7

Excused: Strizich, Swysgood, Thoft, Zook.

Total 4

Absent or not voting: Patterson, Ramirez.

Total 2

HB 393 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Good, Gould, Grady, Hannah, Hansen, Harper, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Peck, Peterson, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Simon, Simpkins, Spaeth, Spring, Stickney, Swift, Thomas, Wallin, Wyatt, Mr. Speaker.

Total 68

Noes: Bradley, D. Brown, Campbell, Cody, Daily, DeMars, Giacometto, Glaser, Grinde, Guthrie, Hanson, Harrington, Iverson, McDonough, O'Keefe, Patterson, Pavlovich, Phillips, Raney, Russell, Schye, Smith, Squires, Stang, Steppler, Westlake, Whalen, Zook.

Total 28

Excused: Strizich, Swysgood, Thoft.

Total 3

Absent or not voting: Boharski.

Total 1

HB 399 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Strizich, Swysgood, Thoft.

Total 3

Absent or not voting: None.

Total 0

HB 422 passed as follows:

Ayes: Aafedt, Addy, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Swift, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: Bachini, Koehnke, Lee, Patterson, Peck, Wallin.

Total 6

Excused: Strizich, Swysgood, Thoft.

Total 3

Absent or not voting: Darko, Good, Hanson, Kasten.

Total 4

HB 437 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Strizich, Swysgood, Thoft.

Total 3

Absent or not voting: None.

Total 0

HB 438 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser,

Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Strizich, Swysgóod, Thoft.

Total 3

Absent or not voting: None.

Total 0

HB 446 passed as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cocchiarella, Cody, Connelly, Darko, Davis, DeMars, Driscoll, Gervais, Giacometto, Glaser, Grady, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, R. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Phillips, Quilici, Ream, Rehberg, Roth, Russell, Schye, Smith, Spaeth, Squires, Stang, Stickney, Swift, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 66

Noes: Bardanouve, Clark, Cobb, Cohen, Compton, DeBruycker, Elliott, Ellison, Eudaily, Gilbert, Good, Gould, Grinde, Guthrie, Hanson, Kadas, Lee, L. Nelson, T. Nelson, O'Keefe, Peterson, Ramirez, Raney, Rice, Simon, Simpkins, Spring, Steppler, Wallin.

Total 29

Excused: Strizich, Swysgood, Thoft.

Total 3

Absent or not voting: Daily, Kasten.

Total 2

HB 465 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: None.
Total 0

Excused: Strizich, Swysgood, Thoft.
Total 3

Absent or not voting: Daily, Good.
Total 2

HB 477 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Gould, Grady, Guthrie, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Knapp, Koehnke, Marks, McCormick, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peterson, Quilici, Ramirez, Raney, Ream, Rice, Roth, Russell, Schye, Spaeth, Spring, Stang, Stickney, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 68

Noes: Campbell, Cobb, Cody, Cohen, Driscoll, Giacometto, Gilbert, Glaser, Good, Grinde, Hannah, Hansen, Kasten, Kilpatrick, Kimberley, Lee, McDonough, R. Nelson, Patterson, Peck, Phillips, Rehberg, Simon, Simpkins, Squires, Steppler, Swift, Wallin.
Total 28

Excused: Strizich, Swysgood, Thoft.
Total 3

Absent or not voting: Smith.
Total 1

HB 482 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Steppler, Stickney, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.
Total 90

Noes: Campbell, Ellison, Giacometto, Gilbert, Good, Spring, Zook.
Total 7

Excused: Strizich, Swysgood, Thoft.
Total 3

Absent or not voting: None.
Total 0

HB 483 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody,

Cohen, Compton, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Strizich, Swysgood, Thoft.

Total 3

Absent or not voting: Connelly, Kasten.

Total 2

HB 486 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Glaser, Good, Grady, Guthrie, Hannah, Hansen, Harper, Harrington, Hoffman, Iverson, Kadas, Kilpatrick, Kimberley, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Spaeth, Squires, Stang, Stickney, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 69

Noes: Aafedt, Blotkamp, Campbell, Clark, Cobb, Cody, DeBruycker, Ellison, Giacometto, Gilbert, Gould, Grinde, Hanson, Hayne, Johnson, Kasten, Keller, Knapp, Koehnke, L. Nelson, Owens, Phillips, Schye, Simpkins, Smith, Spring, Steppler, Swift.

Total 28

Excused: Strizich, Swysgood, Thoft.

Total 3

Absent or not voting: None.

Total 0

HB 495 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Good, Gould, Grady, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Swift, Thomas, Wallin, Zook, Mr. Speaker.

Total 87

Noes: Cohen, Giacometto, Gilbert, Glaser, Hannah, Steppler, Whalen, Wyatt.

Total 8

Excused: Strizich, Swysgood, Thoft.

Total 3

Absent or not voting: Grinde, Westlake.

Total 2

HB 499 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Hansen.

Total 1

Excused: Strizich, Swysgood, Thoft.

Total 3

Absent or not voting: Good.

Total 1

HB 504 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Strizich, Swysgood, Thoft.

Total 3

Absent or not voting: None.

Total 0

HB 516 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Boharski, Bradley, J. Brown, Campbell, Clark, Cobb, Compton, Connelly, Daily, Davis, DeBruycker, Ellison, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Keller, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, O'Connell, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Stickney, Swift, Thomas, Wallin, Westlake, Zook, Mr. Speaker.

Total 71

Noes: Brooke, D. Brown, Cocchiarella, Cody, Cohen, Darko, DeMars, Driscoll, Elliott, Eudaily, Gervais, Johnson, Kadas, Kasten, Kilpatrick, Nisbet, O'Keefe, Peck, Ream, Schye, Squires, Stang, Steppler, Whalen, Wyatt.

Total 25

Excused: Strizich, Swysgood, Thoft.

Total 3

Absent or not voting: Blotkamp.

Total 1

HB 521 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Swift, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Strizich, Swysgood, Thoft.

Total 3

Absent or not voting: Wyatt.

Total 1

HB 524 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Grady, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough, Menahan, Mercer, Moore, R. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Smith, Spaeth, Squires, Stang, Steppler, Stickney, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 75

Noes: Aafedt, Campbell, DeBruycker, Ellison, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Kasten, Lee, L. Nelson, T. Nelson, Owens, Peterson, Phillips, Simpkins, Spring, Swift.

Total 21

Excused: Strizich, Swysgood, Thoft.

Total 3

Absent or not voting: Marks.

Total 1

HB 529 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Swift, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.

Total 94

Noes: Campbell, Cobb.

Total 2

Excused: Strizich, Swysgood, Thoft.

Total 3

Absent or not voting: Wyatt.

Total 1

HB 534 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Cohen.

Total 1

Excused: Strizich, Swysgood, Thoft.

Total 3

Absent or not voting: None.

Total 0

HB 540 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stepler, Stickney, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: Campbell, Giacometto, Gilbert, Glaser, Hannah, Koehnke, Marks, T. Nelson, Stang.

Total 9

Excused: Strizich, Swysgood, Thoft.

Total 3

Absent or not voting: None.

Total 0

HB 541 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Strizich, Swysgood, Thoft.

Total 3

Absent or not voting: Spring.

Total 1

HB 542 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet,

O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Cohen.

Total 1

Excused: Strizich, Swysgood, Thoft.

Total 3

Absent or not voting: Good.

Total 1

HB 544 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Swift, Thomas, Wallin, Westlake, Zook, Mr. Speaker.

Total 90

Noes: Cocchiarella, Cohen, Driscoll, McDonough, Ream, Whalen, Wyatt.

Total 7

Excused: Strizich, Swysgood, Thoft.

Total 3

Absent or not voting: None.

Total 0

HB 554 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stickney, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Spring, Steppler.

Total 2

Excused: Strizich, Swysgood, Thoft.

Total 3

Absent or not voting: None.

Total 0

HB 558 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Strizich, Swysgood, Thoft.

Total 3

Absent or not voting: Ellison.

Total 1

HB 568 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: O'Keefe, Simon.

Total 2

Excused: Strizich, Swysgood, Thoft.

Total 3

Absent or not voting: Good.

Total 1

HB 569 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Glaser, Gould, Grady, Harper, Harrington, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Marks, McCormick, McDonough, Menahan, Mercer, Moore, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Peterson, Phillips,

Quilici, Ramirez, Raney, Ream, Rehberg, Russell, Schye, Simon, Spaeth, Squires, Stang, Stickney, Thomas, Westlake, Whalen, Wyatt, Mr. Speaker.
Total 64

Noes: Aafedt, Campbell, Clark, Compton, DeBruycker, Ellison, Giacometto, Gilbert, Good, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Iverson, Kasten, Keller, Koehnke, Lee, L. Nelson, Patterson, Rice, Roth, Simpkins, Smith, Spring, Stepler, Swift, Wallin, Zook.
Total 31

Excused: Strizich, Swysgood, Thoft.
Total 3

Absent or not voting: Hansen, Owens.
Total 2

HB 571 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: Clark, Daily, Guthrie, Hannah.
Total 4

Excused: Strizich, Swysgood, Thoft.
Total 3

Absent or not voting: None.
Total 0

HB 576 passed as follows:

Ayes: Aafedt, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cocchiarella, Cody, Compton, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Gervais, Giacometto, Gilbert, Glaser, Good, Grady, Grinde, Hansen, Hanson, Harrington, Hayne, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Marks, McCormick, McDonough, Menahan, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Swift, Thomas, Westlake, Whalen, Wyatt, Zook.
Total 72

Noes: Addy, Bardanouve, Clark, Cobb, Cohen, Connelly, Elliott, Ellison, Eudaily, Gould, Guthrie, Hannah, Harper, Hoffman, Kadas, Koehnke, Lee, Mercer, R. Nelson, Peck, Ream, Rice, Stickney, Wallin, Mr. Speaker.
Total 25

Excused: Strizich, Swysgood, Thoft.
Total 3

Absent or not voting: None.

Total 0

HB 577 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Strizich, Swysgood, Thoft.

Total 3

Absent or not voting: None.

Total 0

HB 581 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Campbell.

Total 1

Excused: Strizich, Swysgood, Thoft.

Total 3

Absent or not voting: None.

Total 0

HB 593 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Harper, Harrington, Hayne,

Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Clark, Hoffman.

Total 2

Excused: Strizich, Swysgood, Thoft.

Total 3

Absent or not voting: Hansen.

Total 1

HB 594 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stickney, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: Blotkamp, Cocchiarella, Gilbert, Glaser, O'Keefe, Raney, Ream, Stang, Steppler.

Total 9

Excused: Strizich, Swysgood, Thoft.

Total 3

Absent or not voting: None.

Total 0

HB 596 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Cobb.

Total 1

Excused: Strizich, Swysgood, Thoft.

Total 3

Absent or not voting: None.

Total 0

HB 598 passed as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 91

Noes: Campbell, Clark, Swift, Zook.

Total 4

Excused: Strizich, Swysgood, Thoft.

Total 3

Absent or not voting: Bardanouve, Kadas.

Total 2

HB 604 passed as follows:

Ayes: Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Swift, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 79

Noes: Aafedt, Bardanouve, Campbell, Cohen, Compton, Ellison, Gilbert, Grinde, Guthrie, Iverson, Kasten, Lee, Marks, T. Nelson, Peck, Ramirez, Smith, Thomas.

Total 18

Excused: Strizich, Swysgood, Thoft.

Total 3

Absent or not voting: None.

Total 0

HB 605 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody,

Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Swift, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.

Total 93

Noes: Gervais, Hannah, Peck, Wyatt.

Total 4

Excused: Strizich, Swysgood, Thoft.

Total 3

Absent or not voting: None.

Total 0

HB 606 passed as follows:

Ayes: Aafedt, Addy, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Compton, Daily, Darko, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Giacometto, Gilbert, Gould, Grady, Guthrie, Hannah, Hansen, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, McCormick, McDonough, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Swift, Thomas, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 75

Noes: Bachini, Campbell, Clark, Cobb, Connelly, Davis, Ellison, Gervais, Good, Grinde, Hanson, Hayne, Koehnke, Marks, Moore, R. Nelson, Peck, Spring, Wallin.

Total 19

Excused: Strizich, Swysgood, Thoft, Zook.

Total 4

Absent or not voting: Glaser, Phillips.

Total 2

HB 610 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cody, Cohen, DeMars, Elliott, Eudaily, Gervais, Good, Gould, Grady, Grinde, Guthrie, Hanson, Harper, Harrington, Hoffman, Johnson, Kasten, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Raney, Roth, Simpkins, Spaeth, Spring, Swift, Thomas, Zook, Mr. Speaker.

Total 55

Noes: Blotkamp, Brooke, Cocchiarella, Compton, Connelly, Daily, Darko, Davis, DeBruycker, Driscoll, Ellison, Giacometto, Gilbert, Glaser, Hannah, Hansen, Hayne, Iverson, Kadas, Keller, Kilpatrick, Kimberley, Koehnke, R. Nelson, T. Nelson, Pavlovich, Ramirez, Ream, Rehberg, Rice, Russell,

Schye, Simon, Smith, Squires, Stang, Steppler, Stickney, Wallin, Westlake, Whalen, Wyatt.

Total 42

Excused: Strizich, Swysgood, Thoft.

Total 3

Absent or not voting: None.

Total 0

HB 611 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Ellison, Good, Hayne, Marks.

Total 4

Excused: Strizich, Swysgood, Thoft.

Total 3

Absent or not voting: None.

Total 0

HB 620 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Campbell, Gilbert, Hayne, Kasten.

Total 4

Excused: Strizich, Swysgood, Thoft.

Total 3

Absent or not voting: None.

Total 0

HB 646 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stepler, Stickney, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Davis.

Total 1

Excused: Strizich, Swysgood, Thoft.

Total 3

Absent or not voting: R. Nelson, Stang.

Total 2

HB 650 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Strizich, Swysgood, Thoft.

Total 3

Absent or not voting: Grinde.

Total 1

Representative Strizich present at this time.

HB 651 passed as follows:

Ayes: Aafedt, Bachini, Blotkamp, Boharski, D. Brown, J. Brown, Campbell, Clark, Cody, Compton, Daily, DeBruycker, DeMars, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Harrington, Hoffman, Iverson, Kasten, Keller, Knapp, Koehnke, Lee, Marks, McCormick, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, O'Connell, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Rehberg, Rice, Roth, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Swift, Thomas, Wallin, Westlake, Zook.

Total 63

Noes: Addy, Bardanouve, Bradley, Brooke, Cobb, Cocchiarella, Cohen, Connelly, Darko, Davis, Driscoll, Elliott, Gervais, Hansen, Harper, Johnson, Kadas, Kilpatrick, Kimberley, McDonough, Moore, Nisbet, O'Keefe, Raney, Ream, Russell, Schye, Spring, Stickney, Whalen, Wyatt, Mr. Speaker.

Total 32

Excused: Swysgood, Thoft.

Total 2

Absent or not voting: Hayne, Peck, Strizich.

Total 3

HB 657 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Hansen.

Total 1

Excused: Swysgood, Thoft.

Total 2

Absent or not voting: Cohen, Harrington.

Total 2

HB 658 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Swysgood, Thoft.

Total 2

Absent or not voting: Ellison.

Total 1

HB 661 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Swysgood, Thoft.

Total 2

Absent or not voting: None.

Total 0

HB 667 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: Hoffman.

Total 1

Excused: Swysgood, Thoft.

Total 2

Absent or not voting: None.

Total 0

HB 677 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper,

Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Swysgood, Thoft.

Total 2

Absent or not voting: None.

Total 0

HB 691 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Brooke, O'Keefe, Ream.

Total 3

Excused: Swysgood, Thoft.

Total 2

Absent or not voting: Quilici, Wallin.

Total 2

HB 708 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson,

Total 4

Excused: Swysgood, Thoft.

Total 2

Absent or not voting: Good, Owens.

Total 2

HJR 9 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.

Total 93

Noes: Campbell, Gilbert, Owens.

Total 3

Excused: Swysgood, Thoft.

Total 2

Absent or not voting: Blotkamp, Wyatt.

Total 2

HJR 18 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Cohen.

Total 1

Excused: Swysgood, Thoft.

Total 2

Absent or not voting: Aafedt, Good, Whalen.

Total 3

HJR 21 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody,

Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Swysgood, Thoft.

Total 2

Absent or not voting: Good.

Total 1

Representatives Swysgood and Thoft present at this time.

HJR 23 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, D. Brown, J. Brown, Campbell, Clark, Cobb, Cody, Cohen, Compton, Connelly, Daily, Darko, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Stang, Stepler, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 85

Noes: Bradley, Brooke, Cocchiarella, Davis, Driscoll, Hansen, Kadas, Kilpatrick, McDonough, Moore, O'Keefe, Ream, Squires, Stickney, Whalen.

Total 15

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HJR 24 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye,

Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: Cohen.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HJR 25 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Good.

Total 1

Representative Harper moved the House recess until 1:15 p.m. Motion carried.

House recessed at 12:00 noon.

House reconvened at 1:15 p.m., Mr. Speaker in the Chair.

Representative Daily excused at this time.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence: 2/21/89

SB 2, introduced by Crippen

SB 28, introduced by Meyer

SB 65, introduced by Jenkins

SB 111, introduced by Boylan

SB 152, introduced by Beck

SB 163, introduced by Lynch

SB 272, introduced by Keating

SB 303, introduced by Thayer

SB 311, introduced by Harding

SB 313, introduced by Mazurek

SB 315, introduced by Rapp-Svrcek
SB 327, introduced by Keating
SB 351, introduced by Williams
SB 352, introduced by Rasmussen
SB 353, introduced by Crippen
SB 357, introduced by Harding
SB 363, introduced by Crippen
SB 367, introduced by Noble
SB 369, introduced by B. Brown
SB 370, introduced by Weeding
SB 371, introduced by Hager
SB 372, introduced by Nathe
SB 377, introduced by Gage
SB 381, introduced by Farrell
SB 382, introduced by Hager
SB 385, introduced by Harp
SB 386, introduced by Galt
SB 387, introduced by Thayer
SB 388, introduced by Eck
SB 389, introduced by Jergeson
SB 390, introduced by Galt
SB 395, introduced by Boylan
SB 396, introduced by Meyer
SB 397, introduced by Meyer
SB 398, introduced by Pinsoneault
SB 399, introduced by Pinsoneault
SB 401, introduced by Mazurek
SB 405, introduced by Devlin
SB 406, introduced by Gage
SB 407, introduced by Jacobson
SB 413, introduced by Van Valkenburg
SB 417, introduced by Gage
SB 420, introduced by Aklestad
SB 421, introduced by Aklestad
SB 426, introduced by Rasmussen
SB 427, introduced by Rasmussen
SB 428, introduced by Thayer
SB 430, introduced by Thayer
SB 432, introduced by Bengtson
SB 433, introduced by Williams
SB 438, introduced by Eck
SB 439, introduced by Farrell
SB 442, introduced by Lynch
SB 443, introduced by Stimatz
SB 444, introduced by Aklestad
SB 447, introduced by Yellowtail
SB 449, introduced by Beck
SB 450, introduced by Yellowtail
SB 452, introduced by Gage
SB 454, introduced by Walker
SB 457, introduced by Aklestad
SJR 3, introduced by Rasmussen
SJR 5, introduced by Harding
SJR 12, introduced by Blaylock
SJR 14, introduced by Hager

SB 441, introduced by Gage, requiring adoption by an affirmative roll call vote of two-thirds of all the members of the Legislature, passed the Senate and is returned to the House with the following vote: 2/21/89

YEAS - 30
NAYS - 20

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following Senate bills were introduced, read first time, and referred to committees:

- SB 60**, introduced by Beck (by request of the Department of Administration), referred to Committee on State Administration
- SB 100**, introduced by Aklestad (by request of the Joint Interim Subcommittee on Welfare), referred to Committee on Labor and Employment Relations
- SB 119**, introduced by Harding (by request of the Department of Health and Environmental Sciences), referred to Committee on Local Government
- SB 128**, introduced by Manning, McLane, Norman, Pipinich, Regan, Walker, O'Keefe, Connelly, J. Brown, Bradley (by request of the Joint Interim Subcommittee on Welfare), referred to Committee on Labor and Employment Relations
- SB 235**, introduced by Hager, Boylan, Thayer, Campbell, Williams, Cody, Smith, Thomas, referred to Committee on Labor and Employment Relations
- SB 236**, introduced by Severson, Swift, Anderson, Grady, Thomas, Bishop, B. Brown, Rapp-Svrcek, referred to Committee on Fish and Game
- SB 250**, introduced by Beck, Campbell, referred to Committee on Fish and Game
- SB 260**, introduced by B. Brown, Harper, Yellowtail, Bishop (by request of the Department of Fish, Wildlife, and Parks), referred to Committee on Fish and Game
- SB 263**, introduced by Hofman, Rasmussen, Spring, Keating, Westlake, Keller, Nathe, Gage, Knapp, Harding, Lee, Wallin, Harp, Guthrie, Hoffman, T. Nelson, Rice, referred to Committee on Judiciary
- SB 278**, introduced by Thayer, Smith, Van Valkenburg, Pavlovich, Norman, Hager, Meyer, Lynch, Halligan, Nathe, Simon, McLane, Abrams, Gage, Weeding, Marks, Squires, Driscoll, Boylan, Owens, Thomas, Walker, Mazurek, Darko, Harp, Whalen, Addy, Keating, Aklestad, Bishop, Farrell, Blaylock, Manning, Hannah, Hofman, Pipinich (by request of the Governor), referred to Committee on Labor and Employment Relations
- SB 307**, introduced by Hofman, Keating, Anderson, Gage, Westlake, Rasmussen, Noble, Harding, Boylan, Pinsoneault, Vaughn, Wallin, Lee, Hoffman, Patterson, Simpkins, Spring, Ellison, T. Nelson, Clark, Zook, Hanson, Rice, referred to Committee on Judiciary
- SB 317**, introduced by Eck, Brooke, Halligan, referred to Committee on Local Government
- SB 321**, introduced by Beck, Harper, referred to Committee on Natural Resources
- SB 331**, introduced by Bishop, referred to Committee on Judiciary
- SB 342**, introduced by Hofman, Hannah, Lee, Wallin, Harding, Keating, Clark, Vaughn, Owens, DeBruycker, Keller, Ellison, Rice, Hoffman, Zook, Anderson, Spring, Himsl, Aafedt, Thomas, Gage,

- Pinsonneault, Crippen, Harp, Rasmussen, referred to Committee on Judiciary
- SB 348**, introduced by Nathe, referred to Committee on Labor and Employment Relations
- SB 355**, introduced by Farrell (by request of the Department of Justice), referred to Committee on Highways and Transportation
- SB 368**, introduced by Keating, Gilbert, Gage, Iverson, Guthrie, Hayne, Knapp, referred to Committee on Taxation
- SB 402**, introduced by Harp, Bachini, referred to Committee on Highways and Transportation
- SB 409**, introduced by Gage, referred to Committee on State Administration
- SB 429**, introduced by Thayer, Meyer, McLane, Hager, Noble, Williams, Weeding, Lynch (by request of the Senate Committee on Business and Industry), referred to Committee on Labor and Employment Relations
- SJR 13**, introduced by Meyer, Lynch, Weeding, Hager, Noble, McLane, B. Brown, Williams, Thayer (by request of the Senate Committee on Business and Industry), referred to Committee on Natural Resources
- SJR 15**, introduced by Severson, Anderson, Bishop, Hofman, B. Brown, Rapp-Svrcek, Jenkins, Yellowtail, Beck, Farrell, Jacobson, Harp, McLane (by request of the Senate Fish and Game Committee), referred to Committee on Education and Cultural Resources
- SJR 16**, introduced by Severson, Anderson, Bishop, Hofman, B. Brown, Rapp-Svrcek, Jacobson, Jenkins, Yellowtail, Beck, Farrell, Harp, McLane (by request of the Senate Fish and Game Committee), referred to Committee on Education and Cultural Resources

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Pavlovich in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HJR 26 - Representative Cohen moved HJR 26 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connely, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Stang, Stepler, Stickney, Strizich, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 86

Noes: Campbell, Ellison, Giacometto, Gilbert, Hayne, Kasten, Roth, Swift, Swysgood, Thoft.

Total 10

Excused: Daily.

Total 1

Absent or not voting: Harrington, Moore, Squires.
Total 3

HJR 28 - Representative Stickney moved HJR 28 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Good, Gould, Grady, Hansen, Harper, Harrington, Iverson, Johnson, Kadas, Kilpatrick, Knapp, McCormick, McDonough, Menahan, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, Rice, Russell, Schye, Simon, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 58

Noes: Aafedt, Campbell, Clark, Cobb, DeBruycker, Ellison, Giacometto, Gilbert, Glaser, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Kasten, Keller, Koehnke, Lee, Marks, Mercer, R. Nelson, T. Nelson, O'Connell, Owens, Patterson, Phillips, Ramirez, Rehberg, Roth, Simpkins, Smith, Steppler, Swift, Swysgood, Thoft, Thomas, Wallin, Zook.

Total 39

Excused: Daily.

Total 1

Absent or not voting: Kimberley, Moore.

Total 2

HJR 29 - Representative Raney moved HJR 29 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Hannah, Hansen, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 92

Noes: Campbell, Guthrie, Hanson, Zook.

Total 4

Excused: Daily.

Total 1

Absent or not voting: Harrington, Moore, Simpkins.

Total 3

HB 57 - Representative Marks moved HB 57 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould,

Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Daily.

Total 1

Absent or not voting: Moore.

Total 1

HB 496 - Representative Nisbet moved HB 496 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Daily.

Total 1

Absent or not voting: Kasten, Moore, Patterson.

Total 3

Representatives Cobb, Thoft, and Swysgood excused at this time.

HB 509 - Representative Bardanouve moved HB 509 do pass. Motion failed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, D. Brown, J. Brown, Campbell, Cody, Compton, Davis, DeBruycker, DeMars, Driscoll, Elliott, Gervais, Giacometto, Good, Gould, Grinde, Guthrie, Hayne, Hoffman, Kimberley, Koehnke, McCormick, L. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Quilici, Schye, Spaeth, Spring, Steppler, Stickney, Strizich, Westlake, Wyatt, Zook, Mr. Speaker.

Total 44

Noes: Boharski, Brooke, Clark, Cocchiarella, Cohen, Connelly, Darko, Ellison, Eudaily, Gilbert, Glaser, Grady, Hannah, Hanson, Harper, Harrington, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Knapp,

Lee, Marks, McDonough, Menahan, Mercer, R. Nelson, T. Nelson, Owens, Patterson, Peterson, Phillips, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Squires, Stang, Swift, Thomas, Wallin, Whalen.

Total 50

Excused: Cobb, Daily, Swysgood, Thoft.

Total 4

Absent or not voting: Hansen, Moore.

Total 2

Representatives Iverson and O'Keefe excused at this time.

HB 518 - Representative Stickney moved HB 518 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Grinde, R. Nelson, T. Nelson.

Total 3

Excused: Cobb, Daily, Iverson, O'Keefe, Swysgood, Thoft.

Total 6

Absent or not voting: Moore.

Total 1

HB 729 - Representative Hannah moved consideration of HB 729 be placed below HB 672 on the second reading board. Motion carried.

HB 592 - Representative Driscoll moved HB 592 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: None.

Total 0

Excused: Cobb, Daily, Iverson, O'Keefe, Swysgood, Thoft.
Total 6

Absent or not voting: Ellison, Moore, Wallin.
Total 3

Representative Daily present at this time.

HB 616 - Representative DeMars moved HB 616 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Gould, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Westlake, Whalen, Wyatt, Mr. Speaker.
Total 79

Noes: Aafedt, Campbell, Glaser, Good, Grady, Grinde, Guthrie, Hannah, Kasten, Lee, Pavlovich, Simon, Thomas, Wallin, Zook.
Total 15

Excused: Cobb, Iverson, O'Keefe, Swysgood, Thoft.
Total 5

Absent or not voting: Moore.
Total 1

HB 618 - Representative Schye moved HB 618 do pass.

Representative Ramirez made a substitute motion HB 618 do not pass. Motion failed as follows:

Ayes: Aafedt, Boharski, Campbell, Clark, Cobb, Compton, DeBruycker, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Iverson, Kasten, Keller, Knapp, Lee, Marks, Mercer, R. Nelson, T. Nelson, Owens, Patterson, Peterson, Phillips, Ramirez, Rehberg, Rice, Roth, Simon, Simpkins, Smith, Spring, Swift, Swysgood, Thoft, Thomas, Wallin, Zook.
Total 48

Noes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Gervais, Hansen, Harper, Harrington, Johnson, Kadas, Kilpatrick, Kimberley, Koehnke, McCormick, McDonough, Menahan, Moore, L. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, Russell, Schye, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Westlake, Whalen, Wyatt, Mr. Speaker.
Total 52

Paired: Cobb, Iverson, Rehberg, Swysgood, Thoft, Ayes; Daily, Darko, O'Keefe, Raney, Schye, Noes.

Excused: None.
Total 0

Absent or not voting: None.

Total 0

Thereupon, HB 618 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Gervais, Hansen, Harper, Harrington, Johnson, Kadas, Kilpatrick, Kimberley, Koehnke, McCormick, McDonough, Menahan, Moore, L. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, Russell, Schye, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 52

Noes: Aafedt, Boharski, Campbell, Clark, Cobb, Compton, DeBruycker, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Iverson, Kasten, Keller, Knapp, Lee, Marks, Mercer, R. Nelson, T. Nelson, Owens, Patterson, Peterson, Phillips, Ramirez, Rehberg, Rice, Roth, Simon, Simpkins, Smith, Spring, Swift, Swysgood, Thoft, Thomas, Wallin, Zook.

Total 48

Paired: Daily, Darko, O'Keefe, Raney, Schye, Ayes; Cobb, Iverson, Rehberg, Swysgood, Thoft, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Wallin excused at this time.

Representatives Cobb, Iverson, and O'Keefe present at this time.

HB 626 - Representative Thomas moved HB 626, second reading copy, be amended. Amendment failed. (49-49)

Representative Raney excused at this time.

Representative Whalen moved HB 626 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, Driscoll, Elliott, Gervais, Gould, Hansen, Harper, Harrington, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough, Menahan, Moore, L. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, Russell, Schye, Spaeth, Squires, Stang, Stickney, Strizich, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 51

Noes: Aafedt, Boharski, Bradley, Campbell, Clark, Cobb, Cody, Compton, DeBruycker, DeMars, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Grady, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Kasten, Keller, Lee, Marks, Mercer, R. Nelson, T. Nelson, Owens, Patterson, Peterson, Phillips, Ramirez, Rehberg, Rice, Roth, Simon, Simpkins, Smith, Spring, Steppler, Swift, Thoft, Thomas, Wallin, Zook.

Total 48

Paired: Darko, Knapp, Raney, Ayes; Giacometto, Thoft, Wallin, Noes.

Excused: Swysgood.

Total 1

Absent or not voting: None.

Total 0

Representative Thomas excused at this time.

Representatives Swysgood and Thoft present at this time.

HB 644 - Representative Harrington moved HB 644 do pass. Motion failed as follows:

Ayes: Addy, Bachini, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Gervais, Glaser, Grady, Hansen, Harper, Harrington, Johnson, Kadas, Kilpatrick, Kimberley, McCormick, McDonough, Menahan, Moore, Nisbet, O'Connell, O'Keefe, Pavlovich, Quilici, Raney, Ream, Rice, Russell, Schye, Spaeth, Squires, Stang, Stickney, Strizich, Whalen, Wyatt, Mr. Speaker.

Total 49

Noes: Aafedt, Boharski, Campbell, Clark, Cody, Compton, DeBruycker, Ellison, Eudaily, Giacometto, Gilbert, Good, Gould, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Iverson, Kasten, Keller, Knapp, Koehnke, Lee, Marks, Mercer, L. Nelson, R. Nelson, T. Nelson, Owens, Patterson, Peck, Peterson, Phillips, Ramirez, Rehberg, Roth, Simon, Simpkins, Smith, Spring, Stepler, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Zook.

Total 50

Paired: Darko, Kadas, Raney, Ayes; Mercer, Thomas, Wallin, Noes.

Excused: None.

Total 0

Absent or not voting: Bardanouve.

Total 1

HB 647 - Representative Ramirez moved HB 647, second reading copy, be amended as follows:

1. Title, line 7.

Strike: "AND"

Following: "7-7-4251,"

Insert: "7-7-4261, AND 7-7-4265,"

2. Page 8.

Following: line 3

Insert: "Section 9. Section 7-7-4261, MCA, is amended to read:

"7-7-4261. Maintenance of accounts for bond issues. (1) The city treasurer or town clerk shall keep in his books a special and separate sinking fund account for each issue or series of outstanding bonds, including citizen bonds as provided in [sections 1 through 4], issued by his city or town. Each such fund must at all times show the exact condition thereof.

(2) All taxes collected for interest and principal on city or town bonds shall be placed to the credit of the sinking fund for which the taxes were levied.

(3) The sinking fund shall be administered as provided in 7-7-123, 7-7-124, and 7-7-4270."

Section 10. Section 7-7-4265, MCA, is amended to read:

"7-7-4265. Tax levy for payment of bonds. (1) The city or town council, at the time of making the levy of taxes for general city or town purposes, must levy a separate and special tax upon all taxable property in the city or town for the payment of interest and principal for each series or issue of bonds outstanding. The tax levy for any one series or issue of bonds must be entirely separate and distinct from the levy for any other issue or series of bonds.

(2) ~~The~~ Except as provided in subsection (3), the levy made for the purpose of paying interest on and principal of each series or issue of bonds must be high enough to raise an amount sufficient to pay all interest on and so much of the principal, if any, of the bonds as will become due and payable during the then-current fiscal year or within 90 days thereafter, as such amount is shown by the treasurer's statement provided for by 7-7-4264. If no part of the principal of such bonds will become due and payable within such time, then such tax levy must be high enough to raise an amount sufficient to pay all interest which will become due and payable during the current fiscal year or within 90 days thereafter and to also place in the sinking fund for such issue or series of bonds, for the payment of the principal when the same becomes due, an amount not less than a sum produced by dividing the whole amount for which the series or issue of bonds were originally issued by the number of years for which such series or issue of bonds were originally issued to run, as such amounts are shown by the treasurer's statement provided for by 7-7-4264.

(3) The annual levies made for the purpose of paying off bonds that provide for no periodic interest payments but rather are sold at a discount from their face value, as provided in [sections 1 through 4], must be actuarially sufficient so that at the time for redemption there is an amount in the sinking fund sufficient to redeem the bonds."

Renumber: subsequent sections

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Raney, Thomas.

Total 2

Absent or not voting: Koehnke.

Total 1

Representative Kadas moved HB 647, as amended, do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Glaser, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 86

Noes: Aafedt, Campbell, Clark, Giacometto, Gilbert, Good, Grinde, Kasten, T. Nelson, Owens, Smith, Spring, Zook.

Total 13

Paired: Raney, Aye; Giacometto, No.

Excused: Thomas.

Total 1

Absent or not voting: None.

Total 0

HB 652 - Representative Brooke moved HB 652 do pass.

Representative Schye made a substitute motion HB 652 be placed at the bottom of the second reading board. Motion carried.

HB 660 - Representative Whalen moved HB 660, second reading copy, be amended. Amendment failed. (44-50)

Representative Moore moved HB 660 do pass. Motion failed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, Elliott, Gervais, Hansen, Harper, Harrington, Kadas, Kilpatrick, Kimberley, McCormick, McDonough, Moore, Nisbet, O'Keefe, Peck, Quilici, Ream, Russell, Schye, Spaeth, Squires, Stickney, Strizich, Whalen, Mr. Speaker.

Total 38

Noes: Aafedt, Boharski, Campbell, Clark, Cobb, Compton, DeBruycker, DeMars, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Knapp, Koehnke, Lee, Marks, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, O'Connell, Owens, Patterson, Pavlovich, Peterson, Phillips, Ramirez, Rehberg, Rice, Roth, Simon, Simpkins, Smith, Spring, Stang, Stepler, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Zook.

Total 59

Paired: Squires, Aye; Thomas, No.

Excused: Raney.

Total 1

Absent or not voting: D. Brown, Wyatt.

Total 2

Representative Thomas present at this time.

HB 670 - Representative Cody moved HB 670 do pass. Motion carried as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Addy, Grady.
Total 2

Excused: Raney.
Total 1

Absent or not voting: Stepler.
Total 1

Representative Bradley excused at this time.

HB 672 - Representative Cohen moved HB 672 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Campbell, Gilbert, Hayne, T. Nelson, Stang.
Total 5

Excused: Bradley, Raney.
Total 2

Absent or not voting: Spring.
Total 1

HB 729 - Representative Hannah moved HB 729, second reading copy, be amended as follows:

1. Title, line 6.

Following: “;”

Strike: “AND”

Following: “MCA”

Insert: “; AND PROVIDING A DELAYED EFFECTIVE DATE”

2. Page 1, line 21.

Following: “allowable”

Insert: “as of January 1, 1991”

3. Page 3.

Following: line 9

Insert: “NEW SECTION. Section 3. Effective date. [This act] is effective January 1, 1991.”

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O’Connell, O’Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: DeBruycker, Hansen, Kadas.

Total 3

Excused: Bradley, Raney.

Total 2

Absent or not voting: Spring.

Total 1

Representative Hannah moved HB 729, as amended, do pass. Motion failed as follows:

Ayes: Bachini, Blotkamp, Brooke, D. Brown, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, Driscoll, Eudaily, Gervais, Grady, Hannah, Harrington, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, McCormick, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O’Connell, Patterson, Pavlovich, Peck, Peterson, Quilici, Ream, Roth, Russell, Schye, Simon, Smith, Spaeth, Squires, Stang, Strizich, Thoft, Thomas, Whalen, Mr. Speaker.

Total 48

Noes: Aafedt, Addy, Bardanouve, Boharski, J. Brown, Campbell, Clark, Cobb, Cody, DeBruycker, DeMars, Elliott, Ellison, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hansen, Hanson, Harper, Hayne, Hoffman, Kasten, Keller, Knapp, Koehnke, Lee, Marks, McDonough, Menahan, Mercer, O’Keefe, Owens, Phillips, Ramirez, Rehberg, Rice, Simpkins, Steppler, Stickney, Swift, Swysgood, Wallin, Westlake, Wyatt, Zook.

Total 49

Excused: Bradley, Raney.

Total 2

Absent or not voting: Spring.

Total 1

HB 675 - Representative Spaeth moved HB 675, second reading copy, be amended as follows:

1. Title, line 11.

Following: "TERMS;"

Strike: "AND"

2. Title, line 12.

Following: "MCA"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

3. Page 15.

Following: line 7

Insert: "NEW SECTION. Section 17. Effective date. [This act] is effective on passage and approval."

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook.

Total 90

Noes: Good, Stang, Mr. Speaker.

Total 3

Excused: Bradley, Raney.

Total 2

Absent or not voting: D. Brown, Cobb, Kadas, Pavlovich, Spring.

Total 5

Representative Spaeth moved HB 675, as amended, do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Bradley, Raney.

Total 2

Absent or not voting: Clark, Good, McCormick, Spring.

Total 4

HB 679 - Representative Grady moved HB 679 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.

Total 91

Noes: Campbell, Giacometto, Swysgood, Thoft, Wyatt.

Total 5

Excused: Bradley, Raney.

Total 2

Absent or not voting: Blotkamp, Owens.

Total 2

HB 685 - Representative Daily moved HB 685 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Guthrie, Hayne, Hoffman, Kasten, R. Nelson, T. Nelson.

Total 6

Excused: Bradley, Raney.

Total 2

Absent or not voting: Bardanouve, Ellison.

Total 2

HB 686 - Representative McCormick moved HB 686, second reading copy, be amended as follows:

1. Title, lines 6 and 7.

Following: "METHODS"

Strike: remainder of line 6 through "BOARD" on line 7

2. Page 1, lines 9 through 18.

Strike: lines 9 through 18 in their entirety

3. Page 2, line 11.

Following: "Section 3."

Strike: "Traditional"

Insert: "Certification of traditional"

4. Page 2, lines 12 and 13.

Following: "counselors"

Strike: remainder of line 12 through "counselors" on line 13

5. Page 2, line 13.

Following: "(1)"

Strike: remainder of line 13 through "the" on line 16

Insert: "An Indian tribe or a recognized Native American organization may certify"

6. Page 2, line 17.

Strike: "advisory board"

7. Page 2, line 18.

Following: "The"

Insert: "tribe or recognized Native American organization may file the certification of a traditional Native American counselor with the"

Following: "board"

Strike: remainder of line 18 through "crime" on page 3, line 17

Insert: "of social work examiners and professional counselors. The board shall maintain a list of certified traditional Native American counselors"

8. Page 3, line 22.

Strike: "license"

Insert: "certification"

9. Page 4, line 1.

Following: "obtained"

Strike: remainder of line 1 through "certificate" on line 2

Insert: "certification"

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Bradley, Raney.

Total 2

Absent or not voting: Bardanouve, Marks.

Total 2

Representative Bradley present at this time.

Representative McCormick moved HB 686, as amended, do pass.

Motion failed as follows:

Ayes: Bachini, Bardanouve, J. Brown, Campbell, Cobb, Cocchiarella, Daily, DeBruycker, Gervais, Good, Hansen, Harrington, Hoffman, McCormick, Menahan, Nisbet, O'Connell, Pavlovich, Phillips, Quilici, Squires, Strizich, Swysgood, Whalen, Wyatt.

Total 25

Noes: Aafedt, Addy, Blotkamp, Boharski, Bradley, Brooke, D. Brown, Clark, Cody, Cohen, Compton, Connelly, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Harper, Hayne, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, O'Keefe, Owens, Patterson, Peck, Peterson, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Stang, Stepler, Stickney, Swift, Thoft, Thomas, Wallin, Westlake, Zook, Mr. Speaker.

Total 74

Excused: Raney.

Total 1

Absent or not voting: None.

Total 0

HB 689 - Representative Harrington moved HB 689 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Glaser, Hannah, Hansen, Harper, Harrington, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Moore, L. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, Rice, Schye, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 62

Noes: Aafedt, Boharski, Campbell, Clark, Compton, Ellison, Giacometto, Gilbert, Good, Gould, Grady, Grinde, Guthrie, Hanson, Hayne, Hoffman, Iverson, Kasten, Keller, Lee, Mercer, R. Nelson, T. Nelson, Owens, Peterson, Ramirez, Rehberg, Roth, Simon, Simpkins, Smith, Spring, Swift, Swysgood, Thoft, Thomas, Wallin.

Total 37

Paired: Raney, Aye; Giacometto, No.

Excused: None.

Total 0

Absent or not voting: Russell.

Total 1

HB 694 - Representative Squires moved consideration of HB 694 be placed below HB 705 on the second reading board. Motion carried.

HB 704 - Representative Cohen moved HB 704 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Raney, Zook.

Total 2

Absent or not voting: None.

Total 0

HB 705 - Representative Hannah moved HB 705, second reading copy, be amended as follows:

1. Title, line 8.

Strike: "AT 10 PERCENT A YEAR"

Insert: "ACCORDING TO THE AMOUNT OF THE PRINCIPAL BALANCE"

2. Page 1, line 19.

Following: "(2)"

Insert: "(a)"

3. Page 1, line 22.

Strike: "10% a year"

Insert: ":

(i) if the principal balance is \$500 or less, 18% a year;

(ii) if the principal balance is over \$500, 15% on the amount over \$500"

4. Page 1, line 23.

Strike: "(a)"

Insert: "(b)"

Strike: "(2)(b)"

Insert: "(2)(c)"

5. Page 2, line 5.

Strike: "(b)"

Insert: "(c)"

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Campbell, Kasten, Swift, Wallin.

Total 4

Excused: Raney.

Total 1

Absent or not voting: Grady, Menahan.

Total 2

Representative Hannah moved HB 705, as amended, do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, Driscoll, Elliott, Ellison, Gervais, Hannah, Hansen, Harper, Harrington, Hayne, Johnson, Kadas, Kilpatrick, Kimberley, Koehnke, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Quilici, Ream, Rice, Roth, Russell, Schye, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Westlake, Whalen, Zook, Mr. Speaker.

Total 62

Noes: Aafedt, Boharski, J. Brown, Campbell, Clark, Cobb, DeBruycker, DeMars, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hanson, Hoffman, Iverson, Kasten, Keller, Knapp, Lee, Marks, McCormick, T. Nelson, Phillips, Ramirez, Rehberg, Simon, Simpkins, Smith, Swift, Swysgood, Wallin, Wyatt.

Total 37

Excused: Raney.

Total 1

Absent or not voting: None.

Total 0

Representative Harper moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. Mr. Speaker in the Chair.

Chairman Pavlovich moved the adoption of the committee report.

Representative Bardanouve made a substitute motion HB 509 be segregated from the committee of the whole report and the remainder of the report be adopted. Motion carried. (82-16)

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

2/21/89

Correctly printed: HB 221, HB 565, HB 669.

Correctly engrossed: HB 701, HB 730.

Correctly enrolled: HB 79, HB 174.

Examined by the sponsors and found to be correct:

HB 79 - DeBruycker

HB 174 - Grinde

Signed by the Speaker at 3:35 p.m., 2/21/89: HB 79, HB 174.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 70 failed to pass as follows:

Ayes: Boharski, Clark, Compton, Darko, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Gould, Guthrie, Hanson, Hayne, Hoffman, Kasten, Keller, Knapp, Koehnke, Lee, Mercer, Patterson, Peterson, Phillips, Ramirez, Rehberg, Rice, Roth, Simon, Smith, Stang, Swift, Swysgood, Thoft, Thomas.

Total 37

Noes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Davis, Gervais, Glaser, Good, Grady, Grinde, Hansen, Harper, Harrington, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Marks, McCormick, McDonough, Menahan, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Quilici, Ream, Russell, Schye, Simpkins, Spring, Squires, Stepler, Stickney, Strizich, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 60

Excused: Raney.

Total 1

Absent or not voting: Hannah, Spaeth.

Total 2

HB 169 passed as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, J. Brown, Campbell, Clark, Cobb, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Knapp, Koehnke, Lee, Marks, McCormick, Menahan, Mercer, Moore, R. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 83

Noes: Addy, Bradley, Brooke, D. Brown, Cocchiarella, Cohen, Kilpatrick, Kimberley, McDonough, L. Nelson, Ream, Russell, Stang, Whalen.

Total 14

Excused: Raney.

Total 1

Absent or not voting: Hansen, T. Nelson.

Total 2

HB 225 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Gilbert, McCormick.

Total 2

Excused: Raney.

Total 1

Absent or not voting: Lee.

Total 1

HB 245 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Good, Gould, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Keller, Kilpatrick, Kimberley, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 83

Noes: Boharski, Cobb, Cocchiarella, DeBruycker, Glaser, Grinde, Guthrie, Hayne, Kadas, Kasten, Knapp, Koehnke, Lee, R. Nelson, Owens, Rice.

Total 16

Excused: Raney.

Total 1

Absent or not voting: None.

Total 0

HB 254 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley,

Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: Davis, Kadas.

Total 2

Excused: Raney.

Total 1

Absent or not voting: None.

Total 0

HB 283 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Gould, Hansen, Hanson, Harper, Harrington, Johnson, Kadas, Kilpatrick, Kimberley, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Phillips, Quilici, Ramirez, Ream, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Squires, Stickney, Strizich, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 61

Noes: Boharski, D. Brown, Campbell, Clark, Cobb, Compton, DeBruycker, Ellison, Giacometto, Gilbert, Glaser, Good, Grady, Grinde, Guthrie, Hannah, Hayne, Hoffman, Iverson, Kasten, Keller, Knapp, Marks, R. Nelson, T. Nelson, Patterson, Peterson, Rehberg, Simpkins, Spaeth, Spring, Stang, Steppler, Swift, Swysgood, Thoft, Thomas, Zook.

Total 38

Excused: Raney.

Total 1

Absent or not voting: None.

Total 0

HB 291 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Driscoll, Gilbert.

Total 2

Excused: Raney.

Total 1

Absent or not voting: Darko.

Total 1

HB 447 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, J. Brown, Campbell, Clark, Cobb, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 86

Noes: Brooke, D. Brown, Cocchiarella, Cohen, Hansen, Kadas, Knapp, Owens, Peck, Ream.

Total 10

Excused: Raney.

Total 1

Absent or not voting: Good, Marks, Stickney.

Total 3

HB 508 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, R. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Boharski, Campbell, Clark, Giacometto, Koehnke, L. Nelson, T. Nelson.

Total 7

Excused: Raney.

Total 1

Absent or not voting: Owens.

Total 1

HB 511 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars,

Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: Good.
Total 1

Excused: Raney.
Total 1

Absent or not voting: None.
Total 0

HB 536 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Clark, Cocchiarella, Peck, Rice.
Total 4

Excused: Raney.
Total 1

Absent or not voting: None.
Total 0

HB 561 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Campbell, Clark, Gilbert.

Total 3

Excused: Raney.

Total 1

Absent or not voting: None.

Total 0

HB 572 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Raney.

Total 1

Absent or not voting: None.

Total 0

HB 578 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Raney.

Total 1

Absent or not voting: None.

Total 0

HB 582 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeMars, Elliott, Eudaily, Gervais, Glaser, Gould, Hansen, Harper, Harrington, Hayne, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, R. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Ramirez, Ream, Rice, Roth, Russell, Schye, Simon, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 71

Noes: Aafedt, Daily, DeBruycker, Driscoll, Giacometto, Gilbert, Good, Grady, Grinde, Guthrie, Hannah, Hanson, Hoffman, Iverson, Knapp, L. Nelson, T. Nelson, Patterson, Quilici, Rehberg, Smith, Steppler, Swysgood, Thoft, Whalen.

Total 25

Excused: Raney.

Total 1

Absent or not voting: Ellison, Owens, Simpkins.

Total 3

HB 591 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: Driscoll.

Total 1

Excused: Raney.

Total 1

Absent or not voting: None.

Total 0

HB 595 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler,

Stickney, Strizich, Swift, Swysgood, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Campbell, Clark, DeBruycker, Giacometto, Gilbert, Thoft.

Total 6

Excused: Raney.

Total 1

Absent or not voting: None.

Total 0

HB 597 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Glaser, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Lee, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Roth, Russell, Schye, Simon, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 72

Noes: Campbell, Clark, Cobb, Ellison, Giacometto, Gilbert, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hayne, Kasten, Keller, Koehnke, Marks, O'Connell, Rehberg, Rice, Simpkins, Smith, Spring, Swift, Swysgood, Thoft.

Total 26

Excused: Raney.

Total 1

Absent or not voting: Moore.

Total 1

HB 602 passed as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Compton, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Ellison, Eudaily, Gervais, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stepler, Stickney, Strizich, Swift, Swysgood, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 80

Noes: Bardanouve, Cody, Connelly, Elliott, Good, Harper, Kadas, Koehnke, Nisbet, O'Connell, O'Keefe, Peck, Russell, Schye, Stang, Thoft.

Total 16

Excused: Raney.

Total 1

Absent or not voting: Giacometto, Hansen, R. Nelson.

Total 3

HB 621 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Raney.

Total 1

Absent or not voting: None.

Total 0

HB 624 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Campbell, Clark, Thomas.

Total 3

Excused: Raney.

Total 1

Absent or not voting: None.

Total 0

HB 630 passed as follows:

Ayes: Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Compton, Connelly, Daily, Davis, DeMars, Driscoll, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Moore, L. Nelson, R. Nelson, T. Nelson, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips,

Quilici, Ream, Russell, Schye, Simon, Smith, Spaeth, Spring, Squires, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 73

Noes: Aafedt, Bardanouve, Clark, Cody, Cohen, Darko, DeBruycker, Elliott, Giacometto, Grinde, Kadas, Kasten, Lee, Mercer, Nisbet, Owens, Ramirez, Rehberg, Rice, Roth, Stang, Stepler, Swysgood, Thoft.

Total 24

Excused: Raney.

Total 1

Absent or not voting: O'Connell, Simpkins.

Total 2

HB 639 passed as follows:

Ayes: Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Glaser, Gould, Grady, Hannah, Hansen, Harper, Harrington, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough, Menahan, Moore, L. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Quilici, Ream, Rice, Russell, Schye, Spaeth, Squires, Stang, Stickney, Strizich, Whalen, Wyatt, Mr. Speaker.

Total 58

Noes: Aafedt, Boharski, Campbell, Clark, Compton, DeBruycker, Giacometto, Gilbert, Good, Grinde, Guthrie, Hanson, Hayne, Hoffman, Kasten, Keller, Lee, Marks, Mercer, R. Nelson, T. Nelson, Owens, Peterson, Phillips, Ramirez, Rehberg, Roth, Simon, Simpkins, Smith, Spring, Stepler, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Zook.

Total 39

Excused: Raney.

Total 1

Absent or not voting: Addy, Ellison.

Total 2

HB 642 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Campbell, Gilbert, Kasten, Whalen.

Total 4

Excused: Raney.

Total 1

Absent or not voting: Clark.

Total 1

HB 645 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: O'Keefe.

Total 1

Excused: Raney.

Total 1

Absent or not voting: Hoffman, Kasten.

Total 2

HB 649 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.

Total 90

Noes: Brooke, Cocchiarella, Driscoll, Lee, McDonough, Nisbet, Peck, Ream, Wyatt.

Total 9

Excused: Raney.

Total 1

Absent or not voting: None.

Total 0

HB 654 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, J. Brown, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Gervais, Good, Hansen, Harper, Harrington, Johnson, Kadas, Kilpatrick, Kimberley, Koehnke, Lee, McCormick, McDonough, Menahan, Moore, L. Nelson, O'Connell, O'Keefe, Peck, Quilici, Ream, Russell, Schye,

Spaeth, Squires, Steppler, Stickney, Strizich, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 50

Noes: Aafedt, Boharski, D. Brown, Campbell, Clark, Cobb, Cody, Compton, DeBruycker, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Iverson, Kasten, Keller, Knapp, Marks, Mercer, R. Nelson, T. Nelson, Nisbet, Owens, Patterson, Pavlovich, Peterson, Phillips, Ramirez, Rehberg, Rice, Roth, Simon, Simpkins, Smith, Spring, Stang, Swift, Swysgood, Thoft, Zook.

Total 49

Excused: Raney.

Total 1

Absent or not voting: None.

Total 0

HB 655 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Campbell, Cobb, Gilbert, Good, Guthrie, Koehnke, Simpkins, Swift.

Total 8

Excused: Raney.

Total 1

Absent or not voting: Peck.

Total 1

HB 656 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Raney.

Total 1

Absent or not voting: None.

Total 0

HB 662 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Raney.

Total 1

Absent or not voting: Ream.

Total 1

HB 668 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Clark, DeBruycker, Giacometto, Hannah, Hayne, Lee, Smith.

Total 7

Excused: Raney.

Total 1

Absent or not voting: None.

Total 0

HB 671 passed as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Daily,

Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Bardanoue, Campbell, Connelly.
Total 3

Excused: Raney.
Total 1

Absent or not voting: None.
Total 0

HB 678 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanoue, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: None.
Total 0

Excused: Raney.
Total 1

Absent or not voting: Smith.
Total 1

HB 680 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanoue, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Campbell, Ellison, Giacometto, Swysgood.

Total 4

Excused: Raney.

Total 1

Absent or not voting: Stickney.

Total 1

HB 682 passed as follows:

Ayes: Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ream, Rice, Russell, Schye, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Thoft, Thomas, Westlake, Wyatt, Zook, Mr. Speaker.

Total 78

Noes: Aafedt, Addy, Campbell, Clark, DeBruycker, Ellison, Hannah, Hoffman, Iverson, Kasten, Keller, Marks, McDonough, Owens, Ramirez, Rehberg, Roth, Smith, Swysgood, Wallin, Whalen.

Total 21

Excused: Raney.

Total 1

Absent or not voting: None.

Total 0

HB 683 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Raney.

Total 1

Absent or not voting: Ellison.

Total 1

HB 684 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stepler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.
Total 95

Noes: Giacometto, Stang, Swysgood, Zook.
Total 4

Excused: Raney.
Total 1

Absent or not voting: None.
Total 0

HB 688 passed as follows:

Ayes: Aafedt, Addy, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Grady, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, Nisbet, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Quilici, Ramirez, Ream, Rehberg, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Strizich, Swift, Swysgood, Thoft, Thomas, Westlake, Wyatt, Mr. Speaker.
Total 76

Noes: Bachini, Boharski, Campbell, Ellison, Glaser, Good, Gould, Grinde, Hannah, Hoffman, Kimberley, Knapp, Koehnke, Lee, T. Nelson, O'Connell, Peck, Phillips, Rice, Stickney, Wallin, Whalen, Zook.
Total 23

Excused: Raney.
Total 1

Absent or not voting: None.
Total 0

HJR 20 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler,

Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake,
Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: Raney.
Total 1

Absent or not voting: None.
Total 0

MOTIONS

Representative Harper moved the rules be suspended to take HB 221, HB 565, and HB 669 from printing and placed on second reading this legislative day. Motion carried.

Representative Rice moved his vote on HB 477, third reading, be recorded as yes. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Pavlovich in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 694 - Representative Squires moved HB 694, second reading copy, be amended as follows:

1. Title, line 6.

Following: "OTHER"

Strike: "HEALTH AND"

2. Title, line 9.

Following: "REQUIRED"

Strike: "HEALTH AND"

Following: "ITEMS,"

Insert: "TO REQUIRE EMPLOYEES TO RETURN SAFETY
ITEMS,"

3. Page 1, line 16.

Following: "require"

Strike: "health and"

4. Page 1, line 21.

Following: "such"

Strike: "health and"

5. Page 1, line 22.

Following: "other"

Strike: "health and"

6. Page 2, line 5.

Following: "life"

Strike: ", health,"

7. Page 2, line 7.

Following: "use"
Strike: "health and"

8. Page 2, line 8.
Following: "prohibited"
Insert: "— return of safety items"
Following: "~~No~~"
Insert: "(1)"

9. Page 2, line 9.
Following: line 8
Strike: "(1)"
Insert: "(a)"

10. Page 2, line 10.
Following: "any"
Strike: "health and"

11. Page 2, line 11.
Following: "other"
Strike: "health and"

12. Page 2, line 14.
Strike: "(2)"
Insert: "(b)"

13. Page 2, line 15.
Following: "required"
Strike: "health and"

14. Page 2, line 16.
Following: "other"
Strike: "health and"

15. Page 2, line 18.
Strike: "(3)"
Insert: "(c)"

16. Page 2, line 21.
Strike: "(4)"
Insert: "(d)"

17. Page 2, line 22.
Following: "life"
Strike: ", health and,"

18. Page 2, line 23.
Insert: "(2) Except for normal wear and tear, safety items furnished by the employer must be returned in working condition by the employee upon termination of employment or completion of the project requiring the safety items."

Amendment passed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck,

Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Aafedt, Campbell, Guthrie, Owens, Spring, Wallin.

Total 6

Excused: Raney.

Total 1

Absent or not voting: D. Brown, Hannah.

Total 2

Representative Squires moved HB 694, as amended, do pass. Motion failed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Gervais, Hansen, Harper, Harrington, Johnson, Kadas, Kilpatrick, Kimberley, McCormick, McDonough, Menahan, Moore, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, Rice, Russell, Spaeth, Squires, Stickney, Strizich, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 47

Noes: Aafedt, Boharski, Campbell, Clark, Cody, Compton, DeBruycker, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Iverson, Kasten, Keller, Knapp, Koehnke, Lee, Marks, Mercer, L. Nelson, R. Nelson, T. Nelson, Owens, Patterson, Peterson, Phillips, Ramirez, Rehberg, Roth, Schye, Simon, Simpkins, Smith, Spring, Stang, Stepler, Swift, Swysgood, Thoft, Thomas, Wallin, Zook.

Total 52

Paired: Raney, Aye; Giacometto, No.

Excused: None.

Total 0

Absent or not voting: O'Connell.

Total 1

Representative Cohen excused at this time.

HB 707 - Representative Iverson moved HB 707 do pass.

Representative Thoft moved to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative Thoft moved HB 707, second reading copy, be amended. Amendment failed. (38-62)

Representative Swysgood moved HB 707, second reading copy, be amended as follows and the amendment be divided:

1. Statement of Intent, page 2, line 3.

Strike: "or likely to be necessary"

2. Page 15.

Following: line 5

Insert: "(4) If an objection to an application for a lease authorization results in modifications to the proposal or denial of the lease

authorization to avoid adverse effects to water rights of other persons, the department of fish, wildlife, and parks shall pay all costs incurred by the person or persons who filed the objection, including attorney fees and court costs."

Renumber: subsequent subsections

3. Page 16.

Following: line 15

Insert: "(10) The department of fish, wildlife, and parks shall pay all costs associated with installing measuring devices or providing personnel to measure streamflows according to the measuring plan submitted under this section."

4. Page 16, line 24.

Strike: "or is likely to be necessary"

Amendments 1, 3, and 4 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Cohen, Raney.

Total 2

Absent or not voting: None.

Total 0

Amendment 2 failed. (38-59)

Representative Westlake moved HB 707, second reading copy, be amended. Amendment failed. (44-51)

Representative Swift moved HB 707, second reading copy, be amended. Amendment failed. (45-53)

Representative Spaeth moved HB 707, second reading copy, be amended as follows:

1. Title, line 15.

Following: "LEASES;"

Insert: "SPECIFYING THAT THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION SHALL MAKE A REPORT TO EACH REGULAR SESSION OF THE LEGISLATURE;"

2. Page 17.

Following: line 19

Insert: “NEW SECTION. Section 7. Report to the legislature — by the department. The department shall report to each regular session of the legislature as to the operation of [this act].”

Renumber: subsequent sections

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Harper, Harrington, Hayne, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O’Connell, O’Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Cohen, Hansen.
Total 2

Paired: Thomas, Aye; Cohen, No.

Excused: Raney.
Total 1

Absent or not voting: Hoffman.
Total 1

Representative Cohen present at this time.

Representative Spaeth moved HB 707, second reading copy, be amended as follows:

1. Title, line 15.

Following: “LEASES”

Insert: “OR FOR DEVELOPING STORAGE FACILITIES”

2. Page 17, line 6.

Following: “rights”

Insert: “or developing storage facilities”

3. Page 17, line 8.

Following: “of”

Insert: “:

(a)”

4. Page 17, line 10.

Following: “purposes”

Insert: “; or

(b) developing storage facilities to maintain or enhance streamflows for fish, wildlife, recreation, and other purposes”

5. Page 17, line 15.

Strike: “this section”

Insert: “subsection (1)(a)”

6. Page 17.

Following: line 19

Insert: "(4) The department shall expend money obtained under subsection (1)(b) and deposited in the fish and wildlife mitigation trust fund exclusively to develop storage facilities to maintain or enhance streamflows for fish, wildlife, recreation, and other purposes unless an expenditure for other purposes is authorized pursuant to 87-1-614."

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Cohen, Elliott, Good.

Total 3

Excused: Raney.

Total 1

Absent or not voting: Clark.

Total 1

Representative Cobb moved HB 707, second reading copy, be amended as follows:

1. Page 15, line 12.

Following: "diversion."

Insert: "The lease must take into account the historical use of the water right, including but not limited to the usual shutoff of all or a portion of the water subject to the water right due to normal irrigation practices, harvesting, normal climate conditions, and cooperative practices with other irrigators."

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, J. Brown, Campbell, Clark, Cobb, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Zook, Mr. Speaker.

Total 87

Noes: Brooke, Cocchiarella, Cohen, Gervais, Nisbet, O'Keefe, Ream, Whalen, Wyatt.

Total 9

Excused: Raney.

Total 1

Absent or not voting: Bardanouve, D. Brown, Strizich.

Total 3

Representative Cobb moved HB 707, second reading copy, be amended. Amendment failed. (39-58)

Representative Cobb moved HB 707, second reading copy, be amended as follows:

1. Page 14, line 12.

Following: "(1)"

Strike: "The"

Insert: "After July 1, 1991, the"

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cody, Compton, Connelly, Daily, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Westlake, Whalen, Zook, Mr. Speaker.

Total 90

Noes: Cocchiarella, Cohen, Darko, Harper, Kadas, Kimberley, Ream, Wyatt.

Total 8

Excused: Raney.

Total 1

Absent or not voting: Wallin.

Total 1

Representative Iverson moved HB 707, as amended, do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Driscoll, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Iverson, Kadas, Kilpatrick, Kimberley, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Phillips, Quilici, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Squires, Stang, Stickney, Strizich, Wyatt, Mr. Speaker.

Total 64

Noes: Bachini, Campbell, Clark, Cobb, Davis, DeBruycker, DeMars, Elliott, Ellison, Giacometto, Grinde, Guthrie, Hoffman, Johnson, Kasten, Keller, Knapp, Koehnke, L. Nelson, Patterson, Pavlovich, Peck, Peterson,

Ramirez, Spaeth, Spring, Steppler, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Zook.

Total 35

Excused: Raney.

Total 1

Absent or not voting: None.

Total 0

HB 727 - Representative Marks moved HB 727 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connely, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Campbell, Clark.

Total 2

Excused: Raney.

Total 1

Absent or not voting: Cobb, Compton, Steppler, Swysgood, Thoft.

Total 5

Representative Bradley excused at this time.

HB 734 - Representative Thomas moved HB 734 do pass.

Representative Cocchiarella made a substitute motion to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative Cocchiarella moved HB 734, second reading copy, be amended as follows:

1. Title, page 2, line 7.

Following: "33-17-218,"

Strike: "33-17-231, 33-17-232,"

Following: "33-17-403,"

Insert: "AND"

2. Title, page 2, line 8.

Following: "33-17-601,"

Strike: "AND 33-17-1104,"

3. Page 19, line 18.

Insert: "(2) An insurer that issues insurance coverage upon an application submitted by an insurance producer who has not been appointed by the insurer shall pay the insurance producer a commission in conformity with the insurer's filed rates, rating plans, or forms for the kind of insurance effected."

Renumber: subsequent subsection

4. Page 29, line 2.

Insert: "(2) No insurance producer shall place any business, other than coverage of his own risks, with any insurer as to which he does not then hold a validated appointment or license as insurance producer under this chapter, except as provided in 33-17-1104 as to life or disability insurance agents and in 33-8-213."

Renumber: subsequent subsections

5. Page 31, line 23.

Insert: "(2) No insurance producer shall place any business, other than coverage of his own risks, with any insurer as to which he does not then hold a validated appointment or license as insurance producer under this chapter, except as provided in 33-17-1104 as to life or disability insurance producers."

Renumber: subsequent subsections

6. Page 76, line 11.

Following: "~~33-17-1104~~"

Insert: "or as to life or disability insurance placed as provided in 33-17-1104"

7. Page 91, line 6.

Following: "33-17-218,"

Strike: "33-17-231, 33-17-232,"

8. Page 91, line 7.

Following: "33-17-403,"

Insert: "and"

Following: "33-17-601,"

Strike: "and 33-17-1104,"

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Grady, Grinde, Hannah, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ream, Rice, Roth, Russell, Schye, Simpkins, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 81

Noes: Campbell, Clark, DeBruycker, Giacometto, Gould, Guthrie, Hansen, Hayne, Kasten, R. Nelson, T. Nelson, Ramirez, Rehberg, Simon, Smith, Swysgood.

Total 16

Excused: Bradley, Raney.

Total 2

Absent or not voting: Patterson.

Total 1

Representative Thomas moved HB 734, as amended, do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Campbell, Hannah, Patterson, Peck.

Total 4

Excused: Bradley, Raney.

Total 2

Absent or not voting: Keller.

Total 1

HB 652 - Representative Cody moved HB 652, second reading copy, be amended as follows:

1. Page 4, lines 6 and 7.

Strike: "not require or impose a service" on line 6

Following: "account" on line 7

Insert: "an amount not exceeding 0.5% of the annual remaining balance of the account"

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Cody, Cohen, Compton, Connelly, Daily, Darko, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Glaser, Gould, Hannah, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Smith, Spaeth, Spring, Squires, Stepler, Stickney, Strizich, Swysgood, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 78

Noes: Clark, Cobb, Cocchiarella, DeBruycker, Ellison, Gilbert, Good, Grinde, Guthrie, Hansen, Menahan, Peck, Simon, Simpkins, Stang, Swift, Thoft, Wallin.

Total 18

Excused: Bradley, Raney.

Total 2

Absent or not voting: Davis, Grady.

Total 2

Representative Brooke moved HB 652, as amended, do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko,

Davis, DeMars, Driscoll, Elliott, Gervais, Glaser, Grady, Hansen, Harper, Harrington, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Koehnke, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Quilici, Ream, Rice, Roth, Russell, Schye, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 64

Noes: Aafedt, Campbell, Clark, Cobb, DeBruycker, Ellison, Eudaily, Giacometto, Gilbert, Good, Gould, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Kasten, Knapp, Lee, Marks, T. Nelson, Owens, Peterson, Phillips, Ramirez, Rehberg, Simon, Simpkins, Smith, Spring, Swift, Thomas, Wallin.

Total 34

Excused: Bradley, Raney.

Total 2

Absent or not voting: None.

Total 0

Representative Daily assumed the Chair at this time.

HB 221 - Representative Menahan moved HB 221 do pass. Motion failed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, J. Brown, Cobb, Cohen, Connelly, Daily, Darko, DeBruycker, DeMars, Driscoll, Elliott, Gervais, Hannah, Harper, Harrington, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, McCormick, Menahan, Nisbet, O'Keefe, Owens, Pavlovich, Quilici, Ream, Russell, Stang, Strizich, Whalen, Mr. Speaker.

Total 36

Noes: Aafedt, Boharski, Brooke, Campbell, Clark, Cocchiarella, Cody, Compton, Davis, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Hayne, Hoffman, Kasten, Keller, Knapp, Koehnke, Lee, Marks, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, O'Connell, Patterson, Peck, Peterson, Phillips, Ramirez, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Steppler, Stickney, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook.

Total 61

Excused: Bradley, Raney.

Total 2

Absent or not voting: D. Brown.

Total 1

HB 565 - Representative Pavlovich moved HB 565 do pass. Motion failed as follows:

Ayes: Bachini, Boharski, D. Brown, J. Brown, Campbell, Cocchiarella, Cohen, Connelly, Daily, Darko, DeMars, Driscoll, Gervais, Glaser, Good, Gould, Hansen, Harper, Harrington, Kilpatrick, Koehnke, McCormick, Menahan, Moore, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Phillips, Quilici, Ramirez, Ream, Simon, Smith, Spaeth, Strizich, Swysgood, Thoft, Thomas, Whalen, Wyatt, Mr. Speaker.

Total 44

Noes: Aafedt, Addy, Bardanouve, Brooke, Clark, Cobb, Cody, Compton, Davis, DeBruycker, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Grady, Grinde, Guthrie, Hannah, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kimberley, Knapp, Lee, Marks, McDonough, Mercer, L. Nelson, R. Nelson, T. Nelson, Peterson, Rehberg, Rice, Roth, Russell, Schye, Simpkins, Spring, Squires, Stang, Stepler, Stickney, Swift, Wallin, Westlake, Zook.

Total 50

Excused: Bradley, Raney.

Total 2

Absent or not voting: Blotkamp, Hanson, Iverson, O'Keefe.

Total 4

Representative Pavlovich resumed the Chair at this time.

HB 669 - Representative Simon moved HB 669, second reading copy, be amended as follows:

1. Title, line 6.

Following: "MCA,"

Strike: "AND"

2. Title, line 7.

Following: "EFFECTIVE DATE"

Strike: "AND"

Insert: "; PROVIDING"

Following: "APPLICABILITY DATE"

Insert: "; AND PROVIDING A TERMINATION DATE"

3. Page 33.

Following: line 13

Insert: "NEW SECTION. Section 33. Termination date. [This act] terminates on June 30, 1991."

Amendment passed as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.

Total 89

Noes: Addy, Campbell, Cobb, Daily, Driscoll, Koehnke, McCormick, Wyatt.

Total 8

Excused: Bradley, Raney.

Total 2

Absent or not voting: Ellison.

Total 1

Representative Hanson moved HB 669, as amended, do pass. Motion carried as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Zook, Mr. Speaker.
Total 86

Noes: Addy, Campbell, Cocchiarella, Gilbert, O'Keefe, Peck, Ream, Spring, Whalen, Wyatt.
Total 10

Excused: Bradley, Raney.
Total 2

Absent or not voting: Clark, O'Connell.
Total 2

HB 509 - Representative Bardanouve moved HB 509, second reading copy, be amended as follows:

1. Title, line 5.

Following: "LAND"

Strike: "OR"

Insert: " , "

2. Title, line 6.

Following: "LAND"

Insert: " , OR TO A PERSON OR ENTITY WHO WISHES TO PURCHASE THE LAND FOR PUBLIC RECREATIONAL USE"

3. Page 1, line 16.

Following: "LAND"

Strike: "OR"

Insert: " , "

4. Page 1, line 17.

Following: "LAND"

Insert: " , or other person or entity"

5. Page 1, line 20.

Following: "bill."

Insert: "The commission shall adopt rules promoting the purchase and maintenance of right-of-way for public recreational use."

6. Page 2, line 21.

Following: "LEASEHOLDER"

Strike: "OR"

Insert: " , "

7. Page 2, line 23.

Following: "SALE"

Insert: " , or a person or entity offering to purchase the land for public recreational purposes"

8. Page 3, line 13.

Following: "SALE"

Insert: “and to persons or entities proposing to maintain the right-of-way property for public recreational use”

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Gilbert, Glaser, Gould, Grady, Guthrie, Hannah, Hansen, Harper, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O’Connell, O’Keefe, Owens, Pavlovich, Peck, Quilici, Ramirez, Ream, Rice, Russell, Schye, Simon, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.
Total 80

Noes: Cobb, Daily, Giacometto, Good, Grinde, Hanson, Harrington, Hayne, Kasten, Peterson, Phillips, Rehberg, Roth, Simpkins, Thoft, Zook.
Total 16

Excused: Bradley, Raney.
Total 2

Absent or not voting: Eudaily, Patterson.
Total 2

Representative Marks moved HB 509, second reading copy, be amended as follows:

1. Title, line 5.

Following: line 4

Strike: “TO” on line 5 through “LAND OR” on line 5

2. Page 1, line 16.

Following: line 15

Strike: “leaseholders” through “LAND OR” on line 16

3. Page 2, line 16.

Strike: subsection 3 in its entirety

Renumber: subsequent subsections

4. Page 2, line 21.

Following: “MEANS”

Strike: “THE LEASEHOLDERS OR”

5. Page 3, line 4.

Following: “railroad”

Insert: “and not further than 300 feet from the centerline of the tracks”

6. Page 3, line 8.

Following: “extends”

Strike: “to” on line 8 through “OFFER” on line 11

Insert: “a written offer to sell that interest at a fair market value”

7. Page 3, line 17.

Following: “days”

Strike: “following” on line 17 through “response” on line 18

Representative Marks moved to divide the amendment. Motion carried.

Amendment 5 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Daily, Kilpatrick.
Total 2

Excused: Bradley, Raney.
Total 2

Absent or not voting: None.
Total 0

Amendments 1, 2, 3, 4, 6, and 7 failed. (33-65)

Representative Bardanouve moved HB 509, as amended, do pass.
Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeMars, Driscoll, Elliott, Gervais, Grinde, Guthrie, Hansen, Harper, Johnson, Kadas, Kimberley, Knapp, Koehnke, McCormick, McDonough, Menahan, Moore, L. Nelson, Nisbet, O'Keefe, Owens, Peck, Quilici, Ream, Russell, Schye, Simpkins, Smith, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Westlake, Whalen, Zook, Mr. Speaker.
Total 53

Noes: Aafedt, Boharski, Brooke, Campbell, Clark, Daily, DeBruycker, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Hannah, Hanson, Harrington, Hayne, Hoffman, Iverson, Kasten, Keller, Kilpatrick, Lee, Marks, Mercer, R. Nelson, T. Nelson, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Ramirez, Rehberg, Rice, Roth, Simon, Spring, Swift, Swysgood, Thoft, Thomas, Wallin, Wyatt.
Total 46

Paired: Bradley, Aye; Marks, No.

Excused: Raney.
Total 1

Absent or not voting: None.
Total 0

Representative Harper moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Pavlovich moved the adoption of the committee report. Report adopted. (77-19)

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

2/21/89

HOUSE JOURNAL
REGULAR SESSION

Correctly engrossed: HB 57, HB 496, HB 592, HB 616, HB 626, HB 670, HB 672, HB 679, HB 685, HB 689, HB 700, HB 704, HB 706, HB 710, HB 711, HB 719, HB 720, HJR 26, HJR 28, HJR 29.

MOTIONS

Representative D. Brown moved the rules be suspended for the late introduction of a resolution.

Representative Bradley present at this time.

Representative D. Brown withdrew his motion.

Representative Spaeth moved HB 730 be taken from engrossing and rereferred to the Committee on Appropriations. Motion carried.

Representative Spaeth moved HB 618 be taken from engrossing and rereferred to the Committee on Appropriations. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved the House adjourn until 8:00 a.m., Wednesday, February 22, 1989.

Motion carried.

House adjourned at 10:00 p.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

FORTY-FIFTH LEGISLATIVE DAY

Helena, Montana
February 22, 1989

House Chambers
State Capitol

House convened at 8:00 a.m., Mr. Speaker in the Chair. Invocation by Representative Rehberg. Pledge of Allegiance to the Flag.

Roll call. All members present except Moore, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 2/22/89
Correctly engrossed: HB 509, HB 518, HB 647, HB 652, HB 669,
HB 675, HB 705, HB 707, HB 727, HB 733, HB 734.
Delivered to the Governor for his approval at 10:30 a.m.,
2/22/89: HB 79, HB 137, HB 138, HB 174, HB 230, HB 275.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 740, introduced by Daily, referred to Committee on Fish and Game

HB 742, introduced by Bradley, referred to Committee on Human Services and Aging

HB 743, introduced by Gould, Pavlovich, referred to Committee on Business and Economic Development

HB 744, introduced by Quilici, Bardanoue (by request of the House Appropriations Committee), referred to Committee on Appropriations

HB 745, introduced by Patterson, Jenkins, Devlin, Zook, Steppler, DeBruycker, Grady, Swift, Elliott, Compton, Guthrie, Beck, Westlake, Ellison, DeMars, Glaser, Iverson, Giacometto, Hanson, Swysgood, Thoft, Grinde, Cobb, referred to Committee on Taxation

HB 746, introduced by Pavlovich, Daily, Menahan, Whalen, Driscoll, D. Brown, Harrington, McCormick, O'Connell, Quilici, Stang, Gervais, referred to Committee on Business and Economic Development

HB 747, introduced by Bradley, Crippen, Bengtson, Gilbert, Keating, Eck, Wallin, Pinsonneault, Tveit, Marks, Steppler, Johnson, Gage, Spaeth, Ramirez, Weeding, referred to Committee on Taxation

HB 748, introduced by Addy, Strizich, Regan, Vincent, McDonough, Eck, Connelly, Pinsonneault, Bengtson, Halligan, Westlake, Brooke, Raney, Kadas, Harper, Hannah, O'Keefe, Cohen, Cocchiarella, Kimberley, Simon, Good, Eudaily, Moore, Mercer, Patterson, Grady, Stickney, Kilpatrick, Bradley, Elliott, Darko, Menahan, Quilici, Russell, DeMars, Whalen, Gould, Vaughn, Spaeth, Gervais, Stang, McCormick, Driscoll, Jacobson, Davis, Hansen, Schye, Wyatt, Johnson, D. Brown, Rapp-Svrcek, Yellowtail, Mazurek, Pipinich, Van Valkenburg, Weeding, Blaylock, Abrams, referred to Committee on Appropriations

HB 749, introduced by Hanson, Beck, Peterson, Stickney, referred to Committee on Human Services and Aging

HB 750, introduced by Quilici, Vincent, Grady, Marks, Lynch, Peck, Menahan, Kadas, Thoft, Jacobson, Harp, Walker, Boylan, O'Keefe, Pipinich, Spaeth, Nisbet, Harper, Swysgood, Cocchiarella, Squires, Stang, Pavlovich, Daily, Whalen, DeMars, Koehnke, Blotkamp, Aafedt, Driscoll, Johnson, Mercer (by request of the Department of Natural

Resources and Conservation), referred to Committee on Natural Resources

The following Senate bills were introduced, read first time, and referred to committees:

- SB 2**, introduced by Crippen (by request of the Revenue Oversight Committee), referred to Committee on Taxation
- SB 28**, introduced by Meyer, referred to Committee on Agriculture, Livestock, and Irrigation
- SB 65**, introduced by Jenkins, referred to Committee on Taxation
- SB 111**, introduced by Boylan, Spring, Manning, Jergeson, Spaeth, Hayne, referred to Committee on Agriculture, Livestock, and Irrigation
- SB 152**, introduced by Beck, Campbell, Cocchiarella, Rasmussen, Stang, Harper, Manning, O'Connell, Vincent, Harrington, Mazurek, J. Brown, Menahan, McLane, Strizich, Cobb, O'Keefe, Ream, Grady, Harp, Van Valkenburg, Clark, Williams, Driscoll, Brooke, Halligan, Darko, Daily, R. Nelson, Hansen, Eck, Pavlovich, Addy, Norman, Wallin, Rice, Ream, Connelly, Jacobson, Schye, referred to Committee on State Administration
- SB 163**, introduced by Lynch, Stimatz, Pavlovich, Daily, Harrington, referred to Committee on Human Services and Aging
- SB 272**, introduced by Keating, Addy, referred to Committee on Human Services and Aging
- SB 303**, introduced by Thayer, Good, Wyatt, Nisbet, Strizich, Meyer, Simpkins, Phillips, O'Connell, Aafedt, Halligan, Noble, Walker, Manning, Hammond, referred to Committee on Business and Economic Development
- SB 311**, introduced by Harding, Mazurek, Regan, Driscoll, Gage, Stickney, Brooke, Thomas, referred to Committee on Human Services and Aging
- SB 313**, introduced by Mazurek, referred to Committee on Business and Economic Development
- SB 315**, introduced by Rapp-Svrcek, Smith, Owens, Beck, B. Brown, Elliott, Stang, Harp, Mercer, Marks, Thayer, Vaughn, Darko, Van Valkenburg, Williams, referred to Committee on Labor and Employment Relations
- SB 327**, introduced by Keating, Tveit, Gage, Cobb, Jenkins, Guthrie, Keller, Hofman, referred to Committee on Natural Resources
- SB 351**, introduced by Williams, Walker, Aafedt, Meyer, Noble, Thayer, Manning, Simpkins, Nisbet, Phillips, referred to Committee on Business and Economic Development
- SB 352**, introduced by Rasmussen, referred to Committee on Human Services and Aging
- SB 353**, introduced by Crippen, B. Brown, referred to Committee on Judiciary
- SB 357**, introduced by Harding, Pinsonneault, Hofman, Westlake, Mercer, referred to Committee on Agriculture, Livestock, and Irrigation
- SB 363**, introduced by Crippen, referred to Committee on Judiciary
- SB 367**, introduced by Noble, Good, McLane, Simpkins, Meyer, Pinsonneault, referred to Committee on Judiciary
- SB 369**, introduced by B. Brown, Van Valkenburg, Addy, Hannah, referred to Committee on Business and Economic Development
- SB 370**, introduced by Weeding, referred to Committee on Local Government

- SB 371**, introduced by Hager (by request of the Department of Health and Environmental Sciences), referred to Committee on Natural Resources
- SB 372**, introduced by Nathe, Thayer, Aklestad, Smith, Marks (by request of the Governor), referred to Committee on Labor and Employment Relations
- SB 377**, introduced by Gage, Strizich, Halligan, referred to Committee on Judiciary
- SB 381**, introduced by Farrell, Harp, Galt, Devlin, Meyer, Beck, referred to Committee on State Administration
- SB 382**, introduced by Hager, referred to Committee on Judiciary
- SB 385**, introduced by Harp, D. Brown (by request of the Department of Health and Environmental Sciences), referred to Committee on Natural Resources
- SB 386**, introduced by Galt, Story, Bengtson, Stimatz (by request of the Governor), referred to Committee on Agriculture, Livestock, and Irrigation
- SB 387**, introduced by Thayer, referred to Committee on Agriculture, Livestock, and Irrigation
- SB 388**, introduced by Eck, Vincent, Grady, Cody, Bradley, Campbell, Iverson, Rapp-Svrcek, O'Keefe, Schye, Nathe, Crippen, Cobb, Blaylock, Regan, Manning, Hofman, Jacobson, Rasmussen, Beck, Mazurek, Halligan, Weeding, Walker, Vaughn, Harp, B. Brown, Severson, Bishop, Cohen, Yellowtail, Kadas, Addy, Russell, Elliott, Quilici, Mercer, Bengtson, Hansen, Ream, referred to Committee on Fish and Game
- SB 389**, introduced by Jergeson, Jenkins, DeMars, Grinde, Bachini, referred to Committee on Highways and Transportation
- SB 390**, introduced by Galt, Clark, referred to Committee on Natural Resources
- SB 395**, introduced by Boylan, Ream, Thomas, Vincent, Eck, Thayer, Cocchiarella, Eudaily, Addy, Bradley, referred to Committee on State Administration
- SB 398**, introduced by Pinsoneault, referred to Committee on Human Services and Aging
- SB 399**, introduced by Pinsoneault, referred to Committee on Human Services and Aging
- SB 401**, introduced by Mazurek, referred to Committee on State Administration
- SB 405**, introduced by Devlin, Smith, Thayer, Owens (by request of the Governor), referred to Committee on Labor and Employment Relations
- SB 406**, introduced by Gage, Manning, Bengtson, Lynch, Nisbet, Iverson, Spaeth, Gilbert, Pavlovich, Williams, Norman, referred to Committee on Business and Economic Development
- SB 407**, introduced by Jacobson, Norman, Walker, Manning, Eck, Van Valkenburg (by request of the Department of Health and Environmental Sciences), referred to Committee on Human Services and Aging
- SB 413**, introduced by Van Valkenburg, referred to Committee on Local Government
- SB 417**, introduced by Gage, referred to Committee on Judiciary
- SB 420**, introduced by Aklestad, referred to Committee on Labor and Employment Relations
- SB 421**, introduced by Aklestad, referred to Committee on Labor and Employment Relations
- SB 426**, introduced by Rasmussen, referred to Committee on Human Services and Aging

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Representative Moore present at this time.

HB 57 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Gervais, Peck, Whalen.

Total 3

Excused: None.

Total 0

Absent or not voting: Hansen.

Total 1

HB 496 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 509 failed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, J. Brown, Cody, Cohen, Compton, Connelly, Davis, DeMars, Driscoll, Elliott, Guthrie,

Hansen, Harper, Johnson, Kadas, Kimberley, Koehnke, McCormick, Menahan, Moore, L. Nelson, Nisbet, Peck, Quilici, Ream, Russell, Schye, Spaeth, Stang, Steppler, Stickney, Strizich, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 41

Noes: Boharski, Bradley, Brooke, D. Brown, Campbell, Clark, Cobb, Daily, DeBruycker, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Hannah, Hanson, Harrington, Hayne, Hoffman, Iverson, Kasten, Kilpatrick, Knapp, Lee, Marks, McDonough, Mercer, R. Nelson, T. Nelson, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Ramirez, Raney, Rehberg, Rice, Roth, Simon, Simpkins, Spring, Squires, Swift, Swysgood, Thoft, Thomas, Wallin.

Total 55

Excused: None.

Total 0

Absent or not voting: Cocchiarella, Darko, Keller, Smith.

Total 4

HB 518 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Grinde, R. Nelson.

Total 2

Excused: None.

Total 0

Absent or not voting: Aafedt, Ellison.

Total 2

HB 592 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: Spring.

Total 1

Excused: None.

Total 0

Absent or not voting: Squires, Whalen.

Total 2

HB 616 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gould, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 81

Noes: Aafedt, Campbell, Gilbert, Glaser, Good, Grinde, Guthrie, Hannah, Iverson, Kasten, Lee, T. Nelson, Pavlovich, Simon, Thomas, Wallin, Zook.

Total 17

Excused: None.

Total 0

Absent or not voting: Grady, Keller.

Total 2

HB 626 passed as follows:

Ayes: Bachini, Bardanouve, Blotkamp, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, Driscoll, Elliott, Gervais, Gould, Hansen, Harper, Harrington, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough, Menahan, Moore, L. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, Russell, Schye, Squires, Stang, Stickney, Strizich, Swysgood, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 50

Noes: Aafedt, Boharski, Bradley, Campbell, Clark, Cody, Compton, DeBruycker, DeMars, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Grady, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Kasten, Keller, Lee, Marks, Mercer, R. Nelson, T. Nelson, Patterson, Peterson, Phillips, Ramirez, Rehberg, Rice, Roth, Simon, Simpkins, Smith, Spring, Steppler, Swift, Thoft, Thomas, Wallin, Zook.

Total 46

Excused: None.

Total 0

Absent or not voting: Addy, Iverson, Owens, Spaeth.

Total 4

HB 647 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Aafedt, Campbell, Giacometto, Good, Grinde, Hayne, Kasten, T. Nelson, Owens, Smith.

Total 10

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 652 passed as follows:

Ayes: Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Gervais, Glaser, Gould, Grady, Grinde, Hansen, Harper, Harrington, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Quilici, Raney, Ream, Rice, Roth, Russell, Schye, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 66

Noes: Aafedt, Campbell, Clark, Cobb, DeBruycker, Ellison, Eudaily, Giacometto, Gilbert, Good, Guthrie, Hannah, Hanson, Hayne, Hoffman, Kasten, Lee, Marks, T. Nelson, Owens, Peterson, Phillips, Ramirez, Rehberg, Simon, Simpkins, Smith, Spring, Swift, Thomas, Wallin.

Total 31

Excused: None.

Total 0

Absent or not voting: Addy, Iverson, Keller.

Total 3

HB 669 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins,

Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.
Total 95

Noes: O'Connell, Peck, Wyatt.
Total 3

Excused: None.
Total 0

Absent or not voting: Hansen, Keller.
Total 2

HB 670 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: Giacometto, Grady.
Total 2

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 672 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Campbell, Clark, Gilbert, Hayne, Smith.
Total 5

Excused: None.
Total 0

Absent or not voting: Ellison.

Total 1

HB 675 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Ellison.

Total 1

HB 679 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Glaser, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.

Total 90

Noes: Campbell, Ellison, Giacometto, Gilbert, Grinde, Koehnke, Swysgood, Thoft, Wyatt.

Total 9

Excused: None.

Total 0

Absent or not voting: Good.

Total 1

HB 685 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks,

McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Ellison, Gilbert, Guthrie, Hayne, Kasten, T. Nelson, Owens.

Total 7

Excused: None.

Total 0

Absent or not voting: Cohen, Spring.

Total 2

HB 689 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Grady, Hannah, Hansen, Harper, Harrington, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Moore, L. Nelson, R. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rice, Russell, Schye, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 65

Noes: Aafedt, Boharski, Campbell, Clark, Compton, Ellison, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hanson, Hayne, Hoffman, Iverson, Kasten, Keller, Lee, Mercer, T. Nelson, Owens, Ramirez, Rehberg, Roth, Simon, Simpkins, Smith, Spring, Swift, Swysgood, Thoft, Thomas, Wallin.

Total 35

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 700 passed as follows:

Ayes: Aafedt, Bachini, Blotkamp, Boharski, D. Brown, Campbell, Clark, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Harrington, Hayne, Hoffman, Iverson, Johnson, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook.

Total 81

Noes: Addy, Bardanouve, Bradley, Brooke, J. Brown, Cobb, Cocchiarella, Cohen, Harper, Kadas, Kasten, L. Nelson, R. Nelson, Ream, Rice, Schye, Steppler, Mr. Speaker.

Total 18

Excused: None.

Total 0

Absent or not voting: Hansen.

Total 1

HB 701 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: Peck.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 704 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Campbell, Clark, Good, Grinde.

Total 4

Excused: None.

Total 0

Absent or not voting: Marks, Spring.

Total 2

HB 705 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Gervais, Hannah, Hansen, Harper,

Harrington, Johnson, Kadas, Kilpatrick, Kimberley, Koehnke, McDonough, Menahan, Moore, R. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, Rice, Roth, Russell, Schye, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Thoft, Thomas, Westlake, Whalen, Zook, Mr. Speaker.

Total 59

Noes: Aafedt, Boharski, J. Brown, Campbell, Clark, Cobb, DeBruycker, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hanson, Hayne, Hoffman, Iverson, Kasten, Keller, Knapp, Lee, Marks, McCormick, Mercer, L. Nelson, T. Nelson, Owens, Phillips, Ramirez, Rehberg, Simon, Simpkins, Smith, Spring, Swift, Swysgood, Wallin, Wyatt.

Total 41

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 706 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Hannah.

Total 1

HB 707 passed as follows:

Ayes: Aafedt, Addy, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Driscoll, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Hannah, Hanson, Harper, Harrington, Hayne, Iverson, Kadas, Kilpatrick, Kimberley, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Pavlovich, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simpkins, Smith, Squires, Stang, Stickney, Strizich, Wyatt, Mr. Speaker.

Total 63

Noes: Bachini, Campbell, Clark, Cobb, Davis, DeBruycker, DeMars, Elliott, Ellison, Giacometto, Grinde, Guthrie, Hoffman, Johnson, Kasten, Keller, Knapp, Koehnke, L. Nelson, O'Connell, Peck, Peterson, Ramirez, Spaeth,

Spring, Stepler, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Zook.

Total 34

Excused: None.

Total 0

Absent or not voting: Hansen, Patterson, Simon.

Total 3

HB 710 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Glaser, Good, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: Ellison, Giacometto, Gilbert, Gould, Kasten, Lee, Spring, Swysgood, Thoft, Wallin.

Total 10

Excused: None.

Total 0

Absent or not voting: Marks.

Total 1

HB 711 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: Driscoll, Marks, Stang.

Total 3

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 719 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Glaser, Good, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 88

Noes: Clark, Cohen, DeBruycker, Ellison, Giacometto, Gilbert, Guthrie, Hoffman, Kasten, Lee, R. Nelson, Smith.
Total 12

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 720 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: Cohen, Driscoll, Raney.
Total 3

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 727 passed as follows:

Ayes: Aafedt, Addy, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens,

Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Bachini, Campbell, Clark, Peck.

Total 4

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 733 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Glaser, Good, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 85

Noes: Clark, DeBruycker, Ellison, Gilbert, Gould, Guthrie, Kasten, Keller, Koehnke, Marks, Peck, Peterson, Phillips, Wallin.

Total 14

Excused: None.

Total 0

Absent or not voting: Owens.

Total 1

HB 734 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Hannah, Koehnke, Marks, Patterson, Peck, Raney.

Total 6

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HJR 26 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 83

Noes: Campbell, Clark, Ellison, Giacometto, Gilbert, Grinde, Hayne, Hoffman, Kasten, Marks, Roth, Spring, Swift, Swysgood, Thoft, Thomas, Zook.

Total 17

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HJR 28 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Glaser, Good, Gould, Grady, Hansen, Harper, Harrington, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Koehnke, McDonough, Menahan, Mercer, Moore, L. Nelson, Nisbet, O'Keefe, Owens, Pavlovich, Peck, Quilici, Raney, Ream, Russell, Schye, Simon, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 62

Noes: Campbell, Clark, Cobb, Compton, DeBruycker, Ellison, Giacometto, Gilbert, Guthrie, Hannah, Hansen, Hayne, Hoffman, Iverson, Kasten, Keller, Lee, Marks, McCormick, R. Nelson, T. Nelson, O'Connell, Patterson, Peterson, Phillips, Ramirez, Rehberg, Rice, Roth, Simpkins, Smith, Steppler, Swift, Thoft, Thomas, Wallin, Zook.

Total 37

Excused: None.

Total 0

Absent or not voting: Grinde.

Total 1

HJR 29 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Hannah, Hansen, Harper, Harrington, Hayne, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore,

L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 84

Noes: Aafedt, Campbell, Ellison, Gilbert, Grady, Grinde, Guthrie, Hanson, Hoffman, Iverson, Kasten, Marks, Swift, Swysgood, Thomas.

Total 15

Excused: None.

Total 0

Absent or not voting: Spaeth.

Total 1

MOTIONS

Representative Bradley moved she be allowed to change her vote on HB 700, third reading, from yes to no. Motion carried.

Representative Simpkins moved his vote on HJR 28, third reading, be recorded as no. Motion carried.

Representative DeMars moved he be allowed to change his vote on HB 707, third reading, from yes to no. Motion carried.

Representative Lee moved he be allowed to change his vote on HB 652, third reading, from yes to no. Motion carried.

Representative Whalen moved his vote on HB 626, third reading, be recorded as yes. Motion carried.

Representative T. Nelson moved his vote on HB 689, third reading, be recorded as no. Motion carried.

Representative D. Brown moved SB 196 be taken from the Committee on State Administration and rereferred to the Committee on Judiciary. Motion failed. (59-40)

Representative Boharski moved his vote on HB 652, third reading, be recorded as yes. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Speaker Vincent introduced this week's pages:

Stacy Cross, Helena
Bren Danielson, Helena
Darren Edwards, Broadus
Kelly Keintz, Helena
Jen Leland, Great Falls
Maile Meloy, Helena
Lou Nisbet, Great Falls

Representative Harper moved the House adjourn until 5:00 p.m., Monday, February 27, 1989.

Motion carried.

House adjourned at 8:40 a.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

FORTY-SIXTH LEGISLATIVE DAY

Helena, Montana
February 27, 1989

House Chambers
State Capitol

House convened at 5:00 p.m., Mr. Speaker in the Chair. Invocation by Representative Addy. Pledge of Allegiance to the Flag.

Roll call. All members present except Hannah, Hanson, Moore, Patterson, Russell, Spaeth, Squires, Stepler, and Whalen, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journals for the thirty-fifth, thirty-sixth, thirty-seventh, thirty-ninth, fortieth, forty-first, forty-second, and forty-third legislative days, find the same to be correct.

Menahan, Chairman

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence: 2/22/89

SB 203, introduced by Nathe

SB 437, introduced by Norman

MESSAGES FROM THE GOVERNOR

John Vincent
Speaker of the House
Montana House of Representatives
State Capitol
Helena, Montana 59620

February 23, 1989

Dear Representative Vincent:

Please be informed that I have signed House Bills 21, 61, 107, 136, 195, 199, and 260 on February 23, 1989.

Sincerely,

STAN STEPHENS
Governor

John Vincent
Speaker of the House
Montana House of Representatives
State Capitol
Helena, Montana 59620

February 24, 1989

Dear Representative Vincent:

Please be informed that I have signed House Bills 4, 17, 37, 64, 79, 91, 137, 138, 146, 174, 230, and 275 on February 24, 1989.

Sincerely,

STAN STEPHENS
Governor

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Simon in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 7 - Representative Peck moved Senate amendments to HB 7 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Smith, Spring, Stang, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: Grinde, Swysgood.

Total 2

Excused: Hannah, Hanson, Moore, Patterson, Russell, Spaeth, Squires, Steppler, Whalen.

Total 9

Absent or not voting: None.

Total 0

HB 38 - Representative Eudaily moved Senate amendments to HB 38 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Hansen, Harper, Harrington, Hayne, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Smith, Spring, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 86

Noes: Campbell, Good, Grinde, Guthrie.

Total 4

Excused: Hannah, Hanson, Moore, Patterson, Russell, Spaeth, Squires, Steppler, Whalen.

Total 9

Absent or not voting: Hoffman.

Total 1

HB 58 - Representative Driscoll moved Senate amendments to HB 58 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll,

Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Smith, Spring, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.
Total 88

Noes: Hansen, Peck.
Total 2

Excused: Hannah, Hanson, Moore, Patterson, Russell, Spaeth, Squires, Stepler, Whalen.
Total 9

Absent or not voting: D. Brown.
Total 1

HB 63 - Representative Eudaily moved Senate amendments to HB 63 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Hansen, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Smith, Spring, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.
Total 82

Noes: Campbell, Cobb, DeBruycker, Gilbert, Grinde, Guthrie, Phillips.
Total 7

Excused: Hannah, Hanson, Moore, Patterson, Russell, Spaeth, Squires, Stepler, Whalen.
Total 9

Absent or not voting: Ellison, Harrington.
Total 2

Representative Moore present at this time.

HB 75 - Representative Mercer moved Senate amendments to HB 75 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Smith, Spring, Stang,

Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: None.

Total 0

Excused: Hannah, Hanson, Patterson, Russell, Spaeth, Squires, Steppler, Whalen.

Total 8

Absent or not voting: Ellison.

Total 1

HB 99 - Representative Driscoll moved Senate amendments to HB 99 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Smith, Spring, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Hannah, Hanson, Patterson, Russell, Spaeth, Squires, Steppler, Whalen.

Total 8

Absent or not voting: None.

Total 0

HB 120 - Representative Giacometto moved Senate amendments to HB 120 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Guthrie, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Schye, Simpkins, Smith, Spring, Stang, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 85

Noes: Cobb, DeMars, Grady, Grinde, Marks, Swysgood.

Total 6

Excused: Hannah, Hanson, Patterson, Russell, Spaeth, Squires, Steppler, Whalen.

Total 8

Absent or not voting: Simon.

Total 1

HB 123 - Representative Harper moved consideration of Senate amendments to HB 123 be passed for the day. Motion carried.

HB 129 - Representative Stang moved Senate amendments to HB 129 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kimberley, Knapp, Koehnke, Lee, Marks, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Smith, Spring, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: None.

Total 0

Excused: Hannah, Hanson, Patterson, Russell, Spaeth, Squires, Stepler, Whalen.

Total 8

Absent or not voting: Kilpatrick, McCormick.

Total 2

HJR 2 - Representative Peterson moved Senate amendments to HJR 2 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Schye, Simpkins, Smith, Spring, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: None.

Total 0

Excused: Hannah, Hanson, Patterson, Russell, Spaeth, Squires, Stepler, Whalen.

Total 8

Absent or not voting: Simon.

Total 1

Representative Harper moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Simon moved the adoption of the committee report. Report adopted. (91-0)

MOTIONS

Representative Harper moved SB 166 be taken from the Committee on Natural Resources and SB 167, SB 168, and SB 169 from the Committee on Agriculture and rereferred to the Committee on Judiciary. Motion carried.

Representative Pavlovich moved SB 18 be taken from the Committee on Taxation and rereferred to the Committee on Business and Economic Development. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved the House adjourn until 11:15 a.m., Tuesday, February 28, 1989.

Motion carried.

House adjourned at 5:30 p.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

FORTY-SEVENTH LEGISLATIVE DAY

Helena, Montana
February 28, 1989

House Chambers
State Capitol

House convened at 11:30 a.m., Mr. Speaker in the Chair.

Roll call. All members present except Cobb, Gilbert, and Hannah, excused. Quorum present.

Invocation by Representative Gould.

Posting of the Colors and Pledge of Allegiance by Billings and Laurel Girl Scout Troups followed.

SPECIAL ORDERS OF THE DAY

After being presented to the members of the House by Speaker Vincent, Superintendent of Public Instruction Nancy Keenan was escorted to the rostrum by Representatives Eudaily and Schye and gave the following address:

STATE OF EDUCATION ADDRESS BY SUPERINTENDENT OF PUBLIC INSTRUCTION NANCY KEENAN

I would like to thank Speaker Vincent for giving me this opportunity to address the House today. It's great to be back with my old friends.

Why I am here today is no secret. No topic has dominated debate in this Legislature as much as education. In fact, no issue in this decade has dominated debate as much as the school funding decision. And rightfully so, because no issue is as important to the future of our children and our state.

Yet, despite its importance, developing an equalization formula that meets the court's mandate is proving to be elusive. Rarely have I seen a more thorny political issue before the Legislature. Rarely have I seen one more complex.

Rarely have I seen one that so widely divides thoughtful people, and leaves legislators shaking their heads in dismay as they discuss the solutions. Rarely have I seen such panic on the part of school districts who fear that your actions will be merely political, and not reasoned and practical.

I've listened to a lot of the floor debate. And as I sit in my office I am often frustrated. I can't run to the floor to debate with you when I disagree. I can't run to the floor to challenge the tales of gloom and doom that I hear. I can't run to the floor to argue with those who believe the school funding decision is the greatest tragedy to befall our state in decades.

All I can do is listen. Listen to my squawk box and pace around my office...and, I think most of you know how difficult that is for me!

So, today, I'm going back to my first nature — that of being a teacher — to share with you some of my thoughts about school funding and its role in Montana's future.

The State of Education

We are blessed with a corps of dedicated and enthusiastic teachers...teachers who are resourceful and hard working. We have deeply committed parents, administrators, and school trustees.

Their work has paid off. Last year a national study concluded that Montana has the best-educated workforce in the nation. Nearly 83 percent of our students graduate from high school — ranking us eighth in the nation.

Two in ten Montanans over 25 have at least four years of college — ranking us 15th nationally. Adult literacy rates are low; college test scores are high.

And all over Montana, there are examples of the excellence our system has produced:

- * The team of 18 students from Hellgate High School in Missoula who finished third behind California and New Jersey in the National Bicentennial Constitution Competition;

- * The Billings High School newspaper, the Bronc Express, which won a Gallop Poll national award for excellence in journalism;

- * Alene Whitney of Helena who is a national finalist in the national science competition, the Westinghouse Talent Search;

- * Sue Dolezal of Sentinel High School in Missoula who was the first to receive the national Teacher of the Year award for innovative use of educational technology in the classroom;

- * Chris Mattocks of Cut Bank who next week will be honored as the Superintendent of the Year by the American Association of School Administrators;

- * The four schools — Lolo, Alberton, Bonner, and Belgrade — who have received grants from the Exxon Corporation to develop kindergarten through third grade math programs; and

- * Montana high school graduates taking the Armed Services Examination rank first in the nation.

And the list goes on.

Weaknesses in the Education System

It is tempting to rest on these successes and to argue that because of them, we can invest less in education. It's tempting to argue that all we need to do is to take a little quality education from the rich schools and give it to the poor ones — the Robin Hood approach — to solve the school funding challenge.

It's easy, it's simple, it's politically less painful — but, I believe such an action would cripple our efforts to build a prosperous Montana.

To say this another way...a farmer who harvests a bumper crop one year doesn't ignore his operations the next year. Rather, he continues to improve his productivity, to look for better farming methods, and to cultivate and fertilize.

So it is in education.

Yet we in Montana seem to be like the farmer who after harvesting 50 bushels an acre, decides that he doesn't even need to fertilize his field the next year.

Education spending this year is just seven one hundredths of a percent (0.07) more than in 1987. Meanwhile, across the rest of the United States, support for education rose nearly 6 percent.

Since 1985, total education expenditures in Montana — not adjusted for inflation — have increased only 11 percent, compared to 29 percent nationally. And, even worse, the state's contribution to education increased only 8 percent during that period — not even enough to keep up with inflation — and has not increased since 1987.

In 1980 we were ranked 20th in the nation in expenditures per pupil. By this year we had slipped to 24th, four notches below the national average.

We allocate \$600 per student in the university system for athletics, but budget a meager 67 cents per student for gifted and talented programs. Last year we allocated an average of \$3,050 per pupil in our schools, but we spent \$13,300 per inmate in the state prison.

We pay little or no attention to oversized classes, shortages of classroom supplies or the increased need for teachers to fulfill non-teaching duties. Teacher salaries in Montana are a disgrace. In the 1979-80 school year, we ranked 28th in the nation in teacher pay. Today we are 38th. At today's pay scale, a Montana teacher will earn \$100,000 less in a lifetime than the national average.

When it comes to investing in education, our record in recent years can clearly be described as "penny wise and pound foolish".

Education and the Economy

As I travel around Montana, I hear the same concerns in every community. Montanans worry that today's children will have to leave our state to earn a decent living and hold a fulfilling job. Montanans worry that the lack of funding will deny their children a good education.

This Legislature has an opportunity to help stop the exodus of Montana's talented youth.

As we stand on the threshold of our second century as a state, we have an opportunity to invest in our future.

We have an opportunity to draw a blueprint for Montana's future: a blueprint that can help us build a prosperous Montana, a blueprint that will give Montanans an educational system second to none, a blueprint that will produce jobs here in Montana for our children and our grandchildren.

The school funding debate isn't just about how to meet the court's mandate. It's also about the economic future of our state and how well we are going to prepare our children for that future.

Montana's Economy in the 21st Century

I remember our debates a few years ago when the economy began to go down hill. Political, education, business, and labor leaders sought ways to lure new business and industry to Montana.

We held conferences. We recruited major corporations. We looked for ways to encourage the growth of entrepreneurial enterprises. Some of our initiatives are working; others have failed.

Yet, through it all, our state's economy continues to change. Technological improvements have dramatically changed the timber and mining industries, agriculture, and manufacturing.

Montanans are starting their own businesses at record rates. And we are beginning to compete in the global marketplace, exporting our products to markets never imagined by our grandparents.

This new economic reality has dramatic implications for our education system. Children who entered school in September will reach the job market in the year 2000. The working world they enter will differ vastly from the one that awaited us.

In the work place of the past, you could succeed with "a strong back and willing hands". It didn't matter if you could read or compute.

But as Montana's economy moves into more complex manufacturing activities, a new kind of work place is emerging. Now workers must have better basic skills.

Yesterday's timber mill worker has been replaced by a machine and today supervises several stages of the production process. Secretaries are becoming information managers, and bank tellers financial services consultants. Computers and other information systems make it possible to customize products and enhance specialization.

Montana's boom in new business formation also poses challenges for education. Our state ranks 10th nationally in the number of new businesses formed. And today one in four Montanans is self-employed.

The skill requirements of these new businesses and industries are increasing rapidly and unpredictably. And they depend on local schools and colleges to produce a competent workforce.

Montana's search for new markets for our products presents still another challenge. Our economy cannot grow unless, our timber, aluminum, copper, petroleum, wheat and beef compete successfully in the world market.

But competing in the global economy involves more than installing the latest technology and promoting innovative products. The elevator operator in Baker who wants to sell wheat to Japan and China knows he won't be successful if he can't communicate with their buyers.

No longer will workers hold one job for a lifetime. Our children will make three or four major career changes before they retire. Because of that, they must also have other skills, such as learning to learn, creative thinking, and problem solving. They must be able to communicate their thoughts more effectively than ever before.

In 1970 only half of all jobs required the competence of a high school graduate. By the year 2000 that figure will rise to 75 percent. Almost all new jobs today require a high school education.

Toward A School Funding Solution

So, where do we go from here? As the teacher in me insists on saying, if you will open the packets I distributed, you will find four documents: a general summary of education facts; general fund budgets for FY89; a comparison of the Nathe bill, the Governor's amendments to the Nathe bill, and the Kadas bill; and, 1988 school district expenditures.

Each of these analyses is conducted on a district by district basis. I have attempted to provide an impartial analysis of each of the three proposals you are considering. Later today I will give copies of this analysis to the LFA, the Legislative Auditor, and the Budget Office for their review.

There are some fundamental differences among the three legislative proposals, such as:

- * whether to fund 80 percent or 100 percent of major school expenses;
- * whether to provide funding adjustments for inflation;
- * how to distribute the money to schools; and
- * how to fund the cost of equalization.

But before you go to work to resolve these differences, I want to outline what I would like to see in a school equalization plan.

For more than a year, Montana's education community has worked together to develop a solution to the school funding mandate.

Participating in this group were representatives of the Montana School Boards Association, the Board of Public Education, the Montana Association of County Superintendents of Schools, School Administrators of Montana, the Montana Education Association, the Montana Federation of Teachers, the 874 schools, the Local Control Coalition and the Underfunded School Plaintiffs.

I began working with them soon after they first met and assisted as their facilitator.

Recently we released a list of "consensus points". We believe these would fulfill the court's mandate and guarantee quality education for our children. One of our primary goals is to establish a stable, long term system for funding public education in Montana.

We recommend that such a comprehensive solution be implemented at the start of FY91, and that the new plan be phased in over five years.

As much as I would like to see the new formula put in place immediately, it's just not possible. The Legislature won't finish its school funding package until April — long after school districts have completed their budgeting.

For the upcoming school year, I have already proposed an \$18 million increase in education funds. This would include a 4 percent increase in the foundation program — just about enough to match inflation. It would also provide funds for vocational education and full funding for special education programs.

I am very pleased that the Governor and I agree on an increase for special and vocational education I applaud the Governor for his commitment to these programs. But special education must be kept as a separate fund and funded at the level of actual expenditures.

There are a number of options that can be used to provide this \$18 million. An 8 percent income tax surcharge would do it. So would tightening the estimated tax provisions. You could raise it by adding 10 mills to the statewide levy. Or by capping itemized deductions or the federal tax deduction.

And these are just a few of the options. Difficult choices, but options that must be explored as you look at funding needed programs.

I also strongly support the working group's proposal that the state fund 100 percent of the major educational costs.

The general fund category would include the present general fund, and funds for comprehensive insurance.

The working group also suggests that the school retirement fund be a separate fund, equalized and fully funded. In my view, the retirement fund could be equalized in the first year. I support the Governor's concept of fully funding retirement, but school districts need to be reimbursed on a dollar for dollar basis for these expenses.

If retirement is distributed through the ANB formula, some school districts could lose as much as \$200,000 a year for these fixed expenses.

The working group suggests that comprehensive insurance be fully funded and equalized as part of the foundation program.

And, finally, during the next biennium, we need to study transportation and capital outlay and develop recommendations for equalization.

These consensus points represent many hours of hard work, and always careful and often difficult debate and compromise. They are remarkable because members of this group have often strongly disagreed in the past. They are important because these recommendations come from the people who are on education's front line.

Developing the consensus points was difficult, but it was just half of the equation. I believe it is fiscally irresponsible to develop an equalization formula without knowing how much revenue will be needed to pay for it.

Our effort to fund the formula must be as permanent as our effort to equalize. School districts want to make sure we develop a revenue package that guarantees a stable source of funding into the next century.

We all know that there are several obvious options for providing these funds, such as:

- * A statewide levy;
- * A combination of an increased statewide mill levy and an income tax surcharge;
- * A sales tax;
- * Capping or eliminating the federal tax deduction; or
- * Imposing an alternative minimum tax.

No matter how you feel about a sales tax, a sales tax will not generate the revenue to solve our problems in this biennium.

To give you some perspective about our revenue needs, if you were to replace the statewide levy of 45 mills with one of 90 mills, \$131 million a year would still be needed to meet all the major current costs of education. With a 120 mill levy, \$75 million would still be needed to meet current expenditures. At 160 mills, \$36 million would still be needed.

Two governors — one Democrat and one Republican — have already looked to a statewide property tax levy to fund education. Even though one recommended a 166 mill levy and the other one, 22 mills, the fact is that both chose the same vehicle, a statewide mill levy.

Because of their recommendation, I believe you, too, must seriously consider this option.

I share the concerns of many Montanans about property taxes. Over the last few years, and already in this session, we've avoided the major reform we all admit is necessary.

So while you are considering a statewide levy, or any other funding options, I urge you to consider an income tax rebate for those homeowners whose property tax burden would be increased.

No matter how we pay for our share of the cost of education, we need a funding mechanism that is fair.

I've served on the Taxation Committee, and I know that when it comes to taxes, there are no easy choices. The politically easy way is not to raise any new taxes. You know — "don't tax me, don't tax thee, tax that fellow behind the tree". But, let's be honest, we may have to raise some revenue.

We're not taking about throwing money at a problem in the blind hope that we will come out with quality education. As any business operator knows, the best way to control costs is to run a tight operation.

But every business operator also knows that there comes a time when cutting costs doesn't work anymore, and new funds must be injected to make the business grow. Montana's schools have reached that point.

I am here to argue that Montana's schools are the foundation for building a better way of life in our state. And I believe Montanans share that view. And I believe Montanans would support a tax increase to pay for higher quality education, if that is the only way to achieve this goal.

Conclusion

Yes, developing a new school funding formula is a formidable challenge.

But it is also an opportunity, an opportunity to build a strong education system in Montana that prepares our children for the jobs of the next century. As we draft the blueprint for our schools, let's not draft a blueprint for despair. Let's draft a blueprint that recognizes that in education, students are the top priority. Let's draft a blueprint for hope and prosperity.

To paraphrase the Greek philosopher Plato, the direction in which education starts a person will determine their future. Let's make sure our children get off to the right start.

Thank you.

Superintendent Keenan then retired from the House chamber.

Representatives Cobb and Gilbert present at this time.

REPORTS OF STANDING COMMITTEES

BUSINESS AND ECONOMIC DEVELOPMENT (Pavlovich, Chairman):

2/28/89

SB 151, be concurred in. Report adopted.

SB 251, be concurred in. Report adopted.

Adverse Committee Reports

SB 4, be not concurred in.

SB 179, be not concurred in.

STATE ADMINISTRATION (J. Brown, Chairman):

2/28/89

SB 58, be concurred in. Report adopted.

SB 174, be concurred in. Report adopted.

SJR 2, be concurred in. Report adopted.

TAXATION (Harrington, Chairman):

2/27/89

HB 12, introduced bill, be amended as follows:

1. Title, line 4.

Following: "AN ACT"

Strike: "PRESCRIBING"

Insert: "REVISING"

2. Title, line 5.

Following: "HOMES;"

Insert: "REQUIRING COUNTY TREASURERS TO NOTIFY A PERSON HOLDING A PERFECTED SECURITY INTEREST IN A MOBILE HOME OF DELINQUENT TAXES ON THE MOBILE HOME;"

Following: "SECTIONS"

Insert: "15-16-113,"

3. Title, line 6.

Following: "15-24-204"

Insert: ","

4. Page 1, line 10 through page 5, line 5.

Strike: sections 1 through 6 in their entirety

Insert: "Section 1. Section 15-16-113, MCA, is amended to read:

"15-16-113. Personal property — duty of treasurer — penalty. (1) The county treasurer shall collect taxes on all personal property and, in the case provided in 15-16-111, shall immediately upon receipt of the report prescribed by 15-16-111 notify the person or persons against whom the tax is assessed and any person who has a properly perfected security interest of record with the department of justice that the amount of the tax is due and payable at the county treasurer's office.

(2) (a) The Except as provided in 15-24-202 and subsection (2)(b) of this section, the county treasurer shall, at the time of receiving the report and in any event within 30 90 days from the receipt of such report, levy upon and take into his possession the personal property against which a tax is assessed or any other personal property in the hands of the delinquent taxpayer and proceed to sell the same in the same manner as property is sold on execution by the sheriff.

(b) If the taxes on a mobile home or housetrailer become delinquent, the county treasurer shall notify by first-class mail every person who has a properly perfected security interest of record in the property on which the taxes are delinquent. Not less than 90 days following the giving of notice to persons with a properly perfected security interest the county treasurer shall levy upon and take into his possession the mobile home or housetrailer against which a tax is assessed or any other personal property in the hands of the delinquent taxpayer and proceed to sell the same in the same manner as property is sold on execution by the sheriff.

(3) The county treasurer shall, for the purpose of making the levy and sale, direct the sheriff to make the levy and sale. The sheriff, undersheriff, or any deputy sheriff of the county is ex officio a deputy county treasurer for such purposes, and either may act and receive payment of such taxes. The sheriff may receive the same fees as he is entitled to in making a seizure and sale as provided in 15-17-911.

(4) The county treasurer and his sureties are liable on his official bond for all taxes on personal property remaining uncollected by reason of the willful failure and neglect of the treasurer to levy upon and sell such personal property for the taxes levied thereon.

(5) Failure by the sheriff, undersheriff, or deputy sheriff acting as a deputy county treasurer to make the levy and sale results in a levy against the official bond of the sheriff, undersheriff, or deputy sheriff for payment of the delinquent tax."

Renumber: subsequent sections

5. Page 5, line 10.

Following: "shall"

Insert: ", except as provided in 15-24-206,"

6. Page 5, lines 11 through 21.

Following: "payments" on line 11

Strike: the remainder of line 11 through 21

Insert: "as provided in subsection (1)(b).

(b) One-half of the amount of the tax is payable on or before 5 p.m. on May 31 of the year in which the property is assessed or

within 30 days after the tax notice is postmarked, whichever is later, and one-half is payable on or before 5 p.m. on November 30 of the year in which the property is assessed.

(2) Unless one-half of the taxes is paid on or before 5 p.m. on May 31 or within 30 days after the tax notice is postmarked, whichever is later, the amount payable becomes delinquent and draws interest at the rate of 5/6 of 1% per month from and after delinquency until paid and 2% must be added to the delinquent taxes as a penalty.

(3) All taxes due and not paid on or before 5 p.m. on November 30 become delinquent and draw interest at the rate of 5/6 of 1% per month from and after delinquency until paid, and 2% must be added to the delinquent taxes as a penalty.

(4) If the date on which taxes are due falls on a holiday or Saturday, the taxes may be paid without penalty or interest on or before 5 p.m. of the next business day in accordance with 1-1-307."

Renumber: subsequent subsections

7. Page 8, line 1 through page 12, line 14.

Strike: sections 9 through 19 in their entirety

Renumber: subsequent sections

8. Page 12.

Strike: lines 18 through 22 in their entirety

Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 236, introduced bill, be amended as follows:

1. Page 1, line 9.

Following: line 8

Insert: "WHEREAS, the Legislature has placed revenue received from the coal severance tax into the education trust fund to provide for the future funding for education; and

WHEREAS, the 1987 Legislature appropriated most of the money that was in the education trust fund at the time; and

WHEREAS, a constitutional allocation of coal severance tax revenue to the public school fund may not be appropriated by future Legislatures; and

WHEREAS, such an allocation should not affect the funding of other recipients of coal severance tax revenue; and

WHEREAS, if this constitutional referendum is adopted by the people of Montana, amendments to the statutory distribution of coal severance tax revenue will be necessary to ensure that this bill is revenue neutral to agencies currently receiving coal severance tax revenue."

And, as amended, do pass. Report adopted.

HB 415, introduced bill, be amended as follows:

1. Title, line 4.

Strike: "CERTAIN"

2. Title, line 6.

Following: "15-6-137"

Insert: “, 15-6-138,”

3. Page 2, line 3.

Following: “any”

Strike: “tool”

Insert: “tools”

Following: “that”

Strike: “is”

Insert: “are”

Following: “hand-held”

Strike: “, and”

Insert: “,”

4. Page 2, line 4.

Strike: “(e)”

Following: “implements,”

Insert: “,”

5. Page 2.

Following: line 12

Insert: “Section 2. Section 15-6-138, MCA, is amended to read:

“15-6-138. Class eight property — description — taxable percent-age. (1) Class eight property includes:

(a) all agricultural implements and equipment;

(b) all mining machinery, fixtures, equipment, tools that are not hand-held, and supplies except:

(i) those included in class five; and

(ii) coal and ore haulers;

(c) all manufacturing machinery, fixtures, equipment, tools that are not hand-held, and supplies except those included in class five;

(d) all trailers, including those prorated under 15-24-102, except those subject to taxation under 61-3-504(2);

(e) all goods and equipment intended for rent or lease, except goods and equipment specifically included and taxed in another class;

(f) trucks having a rated capacity of more than 1 ton, including those prorated under 15-24-102; and

(g) all other machinery except that specifically included in another class.

(2) Class eight property is taxed at 11% of its market value.””

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 420, introduced bill, be amended as follows:

1. Page 2, line 4.

Following: “beginning”

Strike: “April”

Insert: “July”

Following: “1989”

Strike: “1993”

Insert: “1991”

2. Page 4, line 4.
Following: "exceed"
Strike: "\$2,500,000"
Insert: "\$1,250,000"

And, as amended, do pass. Report adopted.

HB 444, introduced bill, be amended as follows:

1. Page 3, line 2.
Following: "than"
Insert: "15% each fiscal year for the first 5 fiscal years after [the effective date of this act] and, for fiscal years thereafter,"

And, as amended, do pass. Report adopted.

HB 472, introduced bill, be amended as follows:

1. Page 6, line 3.
Strike: "limit"
Insert: "limits"
2. Page 6, line 3.
Following: "in"
Strike: "subsection"
Insert: "subsections"
3. Page 6, line 4.
Following: "(b)"
Insert: "and (c)"
4. Page 6.
Following: line 8
Insert: "(c) The total combined amount of property taxes deferred under [sections 1 through 20] plus the outstanding mortgage on the property, if any, on which the taxes are deferred may not exceed 90% of the appraised value of the property on which the taxes are deferred."

And, as amended, do pass. Report adopted.

HB 545, do pass. Report adopted.

HB 566, introduced bill, be amended as follows:

1. Page 1, line 13.
Following: "facility"
Strike: "that leases"
Insert: "in which"
2. Page 1, line 14.
Following: "space"
Insert: "is leased"

And, as amended, do pass. Report adopted.

HB 567, introduced bill, be amended as follows:

1. Title, line 5.
Strike: "WITH SELF-GOVERNING POWERS"
2. Page 2, line 22.
Strike: "with self-governing powers"
3. Page 2, line 24.

Following: “(1)”

Insert: “that apply to the first year following construction through the fourth year following construction. A local government may not modify the percentages contained in subsection (1) that apply to the fifth year following construction or years following the fifth year.”

4. Page 2, line 25.

Strike: “with self-governing powers”

5. Page 3, line 1.

Following: “(1).”

Insert: “The modifications to the percentages in subsection (1) adopted by a local government apply uniformly to each remodeling, reconstruction, or expansion project approved by the governing body.”

And, as amended, do pass. Report adopted.

HB 590, do pass. Report adopted.

HB 603, do pass. Report adopted.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bill was introduced, read first time, and referred to committee:

HB 751, introduced by Driscoll, referred to Committee on Taxation

The following Senate bills were introduced, read first time, and referred to committees:

SB 203, introduced by Nathe, referred to Select Committee on Education

SB 427, introduced by Rasmussen, Bengtson, Rapp-Svrcek, Keating (by request of the Senate State Administration Committee), referred to Committee on State Administration

SB 428, introduced by Thayer, Nathe, Thomas, Noble, Meyer, Mazurek, Williams, Aklestad, Grinde, Driscoll, Grady, Rapp-Svrcek, Devlin, Marks, Pavlovich, Smith, Glaser, Squires, Russell, Rasmussen (by request of the Governor), referred to Committee on Labor and Employment Relations

SB 430, introduced by Thayer, Smith, referred to Committee on Labor and Employment Relations

SB 432, introduced by Bengtson, referred to Committee on Agriculture, Livestock, and Irrigation

SB 433, introduced by Williams, referred to Committee on Judiciary

SB 437, introduced by Norman, J. Brown, referred to Committee on Human Services and Aging

SB 438, introduced by Eck, referred to Committee on Business and Economic Development

SB 439, introduced by Farrell (by request of the Senate Administration Committee), referred to Committee on State Administration

SB 441, introduced by Gage, referred to Committee on Appropriations

SB 442, introduced by Lynch (by request of the Department of Health and Environmental Sciences), referred to Committee on Judiciary

SB 443, introduced by Stimatz, referred to Committee on Business and Economic Development

SB 444, introduced by Aklestad, Thayer, Glaser, Marks, Thomas, Smith (by request of the Governor), referred to Committee on Labor and Employment Relations

- SB 447**, introduced by Yellowtail, Ream, referred to Committee on Natural Resources
- SB 449**, introduced by Beck, Campbell (by request of the Department of Justice), referred to Committee on Highways and Transportation
- SB 450**, introduced by Yellowtail, referred to Committee on Natural Resources
- SB 452**, introduced by Gage (by request of the Board of Crime Control), referred to Committee on Judiciary
- SB 454**, introduced by Walker, Jacobson, Norman, Regan, Vaughn, Lynch, Harp, Hofman, Jergeson (by request of the Department of Health and Environmental Sciences), referred to Committee on Human Services and Aging
- SB 457**, introduced by Aklestad, Iverson, Lynch, Jenkins, Mazurek, Nathe, Beck, referred to Committee on Local Government
- SJR 3**, introduced by Rasmussen, Pipinich, Blotkamp, Mazurek, Harper, referred to Committee on Legislative Administration
- SJR 5**, introduced by Harding, referred to Committee on State Administration
- SJR 12**, introduced by Blaylock, Rasmussen (by request of the Senate Legislative Administration Committee), referred to Committee on Legislative Administration
- SJR 14**, introduced by Hager (by request of the Senate Public Health, Welfare, and Safety Committee), referred to Committee on Human Services and Aging

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Stang in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Representatives Eudaily, Marks, Mercer, Ramirez, and Thomas excused at this time.

HB 29 - Representative Harrington moved the Governor's amendments to HB 29 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: None.
Total 0

Excused: Eudaily, Hannah, Marks, Mercer, Ramirez, Thomas.
Total 6

Absent or not voting: Good.

Total 1

HB 123 - Representative Spaeth moved Senate amendments to HB 123 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Eudaily, Hannah, Marks, Mercer, Ramirez, Thomas.

Total 6

Absent or not voting: None.

Total 0

HB 150 - Representative Johnson moved Senate amendments to HB 150 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Eudaily, Hannah, Marks, Mercer, Ramirez, Thomas.

Total 6

Absent or not voting: None.

Total 0

Representative Harper moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Stang moved the adoption of the committee report. Report adopted. (94-0)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 7, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Campbell, Grinde, Swysgood.

Total 3

Excused: Eudaily, Hannah, Marks, Mercer, Ramirez, Thomas.

Total 6

Absent or not voting: None.

Total 0

HB 38, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Campbell, Good, Grinde, Guthrie.

Total 4

Excused: Eudaily, Hannah, Marks, Mercer, Ramirez, Thomas.

Total 6

Absent or not voting: None.

Total 0

HB 58, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream,

Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Eudaily, Hannah, Marks, Mercer, Ramirez, Thomas.

Total 6

Absent or not voting: None.

Total 0

HB 63, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Glaser, Good, Gould, Grady, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, McCormick, McDonough, Menahan, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: Campbell, DeBruycker, Gilbert, Grinde, Koehnke, Peck, Phillips.

Total 7

Excused: Eudaily, Hannah, Marks, Mercer, Ramirez, Thomas.

Total 6

Absent or not voting: None.

Total 0

HB 75, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Eudaily, Hannah, Marks, Mercer, Ramirez, Thomas.

Total 6

Absent or not voting: None.

Total 0

HB 99, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Eudaily, Hannah, Marks, Mercer, Ramirez, Thomas.

Total 6

Absent or not voting: None.

Total 0

HB 120, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, Driscoll, Elliott, Ellison, Gervais, Giacometto, Glaser, Good, Gould, Grady, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: Campbell, Cobb, DeMars, Gilbert, Grinde, Patterson, Swysgood.

Total 7

Excused: Eudaily, Hannah, Marks, Mercer, Ramirez, Thomas.

Total 6

Absent or not voting: None.

Total 0

HB 129, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires,

Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Giacometto.

Total 1

Excused: Eudaily, Hannah, Marks, Mercer, Ramirez, Thomas.

Total 6

Absent or not voting: None.

Total 0

HJR 2, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Eudaily, Hannah, Marks, Mercer, Ramirez, Thomas.

Total 6

Absent or not voting: Ellison.

Total 1

MOTIONS

Representative D. Brown moved SB 196 be taken from the Committee on State Administration and rereferred to the Committee on Judiciary. Motion failed. (45-48)

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved the House adjourn until 1:30 p.m., Wednesday, March 1, 1989.

Motion carried.

House adjourned at 12:20 p.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

FORTY-EIGHTH LEGISLATIVE DAY

Helena, Montana
March 1, 1989

House Chambers
State Capitol

House convened at 1:30 p.m., Mr. Speaker in the Chair. Invocation by Representative Moore. Pledge of Allegiance to the Flag.

Roll call. All members present except Grady, Iverson, Pavlovich, and Ream, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journals for the thirty-fourth, thirty-eighth, forty-fourth, and forty-fifth legislative days, find the same to be correct.

Menahan, Chairman

SPECIAL ORDERS OF THE DAY

Speaker Vincent appointed the following Representatives to the House Select Committee on Employee Compensation:

Addy, Kelly (D), Chairman
Spaeth, Gary (D)
Quilici, Joe (D)
Iverson, Dennis (R)
Swysgood, Charles (R)
Kasten, Betty Lou (R)

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 3/1/89
Correctly printed: HB 12, HB 236, HB 415, HB 420, HB 444, HB 452, HB 453, HB 472, HB 545, HB 566, HB 567, HB 590, HB 603.

APPROPRIATIONS (Bardanouve, Chairman): 2/28/89
HB 618, do pass. Report adopted.
HB 744, do pass. Report adopted.

FISH AND GAME (Ream, Chairman): 3/1/89
SB 173, be concurred in. Report adopted.
SB 231, be concurred in. Report adopted.

HIGHWAYS AND TRANSPORTATION (Stang, Chairman): 2/28/89
SB 57, be concurred in. Report adopted.
SB 72, be concurred in. Report adopted.
SB 123, be concurred in. Report adopted.

JUDICIARY (D. Brown, Chairman): 2/28/89
SB 23, be concurred in. Report adopted.
SB 140, third reading copy, be amended as follows:

1. Page 1, lines 15 and 18.
Strike: “₂” on each line
2. Page 1, lines 16 and 17.
Strike: “(b) both” on line 16 through “time” on line 17
3. Page 1, lines 19 through 21.
Strike: “(b)(c) both” on line 19 through “manufacture” on line 21
Insert: “or”
4. Page 1, line 21.

Following: "methamphetamine"

Insert: "or both"

Renumber: subsequent subsection

And, as amended, be concurred in. Report adopted.

SB 170, be concurred in. Report adopted.

LABOR AND EMPLOYMENT RELATIONS (Russell, Chairman): 3/1/89

SB 49, be concurred in. Report adopted.

SB 153, third reading copy, be amended as follows:

1. Page 2, line 22.

Strike: "only"

Following: "services"

Insert: "and facilities, transportation, or equipment"

2. Page 4, line 10.

Strike: "only"

Following: "services"

Insert: "and facilities, transportation, or equipment"

And, as amended, be concurred in. Report adopted.

LOCAL GOVERNMENT (Darko, Chairman):

2/28/89

SB 14, be concurred in. Report adopted.

SB 24, be concurred in. Report adopted.

SB 37, be concurred in. Report adopted.

SB 40, be concurred in. Report adopted.

SB 53, be concurred in. Report adopted.

STATE ADMINISTRATION (J. Brown, Chairman):

2/28/89

SB 58, be concurred in and placed on consent calendar (revised).
Report adopted.

SB 75, be concurred in and placed on consent calendar. Report adopted.

SB 110, be concurred in and placed on consent calendar. Report
adopted.

SB 188, be concurred in. Report adopted.

SB 356, be concurred in. Report adopted.

SJR 2, be concurred in and placed on consent calendar (revised).
Report adopted.

SJR 8, be concurred in. Report adopted.

TAXATION (Harrington, Chairman):

2/28/89

HB 76, do pass. Report adopted.

HB 166, do pass. Report adopted.

HB 525, introduced bill, be amended as follows:

1. Title, line 6.

Following: "PURPOSES;"

Insert: "TO ESTABLISH A SPECIFIC RESOURCE INDEMNITY
TRUST TAX RATE FOR TALC;"

2. Title, line 8.

Following: "15-23-521,"

Strike: "AND"

Following: "15-38-103,"

Insert: "AND 15-38-104,"

3. Page 3, line 9.

Following: "or,"

Strike: "if applicable"

Insert: "for talc"

4. Page 14.

Following: line 7

Insert: "Section 12. Section 15-38-104, MCA, is amended to read:

"15-38-104. Tax on mineral production. ~~The~~ (1) Except as provided in subsection (2), the annual tax to be paid by the a person engaged in or carrying on the business of mining, extracting, or producing a mineral shall be is \$25, together with plus an additional sum or amount computed on the gross value of product which may have been that was derived from the business work or operation within this state during the calendar year immediately preceding at the rate of ½ of 1% of the amount of gross value of product at the time of extraction from the ground, if in excess of \$5,000. Unless otherwise provided in a contract or lease, the pro rata share of any royalty owner or owners may be deducted from any settlements under the lease or leases or division of proceeds orders or other contracts.

(2) The annual tax to be paid by a person engaged in or carrying on the business of mining, extracting, or producing talc is \$25 plus an additional amount computed on the gross value of product for talc derived from the business work or operation within this state during the calendar year immediately preceding at the rate of 4%."

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 564, do pass. Report adopted.

HB 607, do pass. Report adopted.

SB 17, third reading copy, be amended as follows:

1. Title, lines 5 and 6.

Following: line 4

Strike: "USE OF THE VALUE GUIDE TO CARS OF PARTICULAR INTEREST IN DETERMINING THE"

2. Page 2, line 20.

Following: "FOR"

Strike: "VEHICLES"

Insert: "a vehicle"

Following: "THAT"

Strike: "WERE"

Insert: "was"

3. Page 2, lines 21 and 22.

Following: "GUIDES," on line 21

Strike: the remainder of line 21 through "INTEREST" on line 22

Insert: "the retail value of a mercedes-benz coupe roadster for the same model year as the vehicle being assessed"

4. Page 3, lines 3 and 4.

Following: "\$1,000" on line 3

Strike: the remainder of line 3 through "\$500" on line 4

Insert: "\$750, there is imposed a tax of \$15 plus, if applicable, the local option vehicle tax provided in 61-3-537. For a vehicle that was at one time listed in one of the preceding guides but is no longer listed, the vehicle is considered to have a value of \$750 and is subject to a minimum tax of \$15, except for a vehicle registered as a collector's item under the provisions of 61-3-411 and charged the applicable fee"

5. Page 4, line 8.

Following: "of"

Strike: "\$500"

Insert: "\$1,000"

6. Page 4, line 14.

Following: "amount of"

Strike: "\$500"

Insert: "\$1,000"

7. Page 5, line 9.

Following: "applicability."

Insert: "(1)"

8. Page 5.

Following: line 11

Insert: "(2) The assessment requirements contained in 61-3-503(1)(c), as amended by [this act], apply to a vehicle that is required to be registered on or after July 1, 1989, including an assessment for any delinquent taxes due on the vehicle."

And, as amended, be concurred in. Report adopted.

SB 30, be concurred in. Report adopted.

SB 51, third reading copy, be amended as follows:

1. Title, line 9.

Strike: "15-30-206,"

2. Page 6, lines 13 through 25.

Strike: section 3 in its entirety

Renumber: subsequent sections

And, as amended, be concurred in. Report adopted.

SB 90, be concurred in. Report adopted.

ADVERSE COMMITTEE REPORT

SB 4 - Representative DeMars moved the 2/28/89 adverse committee report on SB 4 be adopted. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Raney, Rehberg, Rice, Roth, Schye, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Wallin, Westlake, Zook, Mr. Speaker.

Total 84

Noes: Clark, Ellison, Giacometto, Hannah, Ramirez, Simon, Swift, Thomas, Whalen, Wyatt.

Total 10

Excused: Grady, Pavlovich, Ream.

Total 3

Absent or not voting: Bardanouve, Hansen, Russell.

Total 3

MOTIONS

Representative Steppler moved SB 179 be taken from Order of Business No. 2 and rereferred to the Committee on Business and Economic Development. Motion carried.

Representative Darko moved the House request the Senate return HB 340 and HB 508 for the purpose of correctly printing the third reading copies. Motion carried.

Representative Hansen moved SB 67, SB 99, SB 100, SB 128, and SB 134 be taken from the Committee on Labor and Employment Relations and rereferred to the Committee on Human Services and Aging. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Harrington in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Representative Russell excused at this time.

Representatives Pavlovich and Ream present at this time.

HB 200 - Representative Vincent moved HB 200 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 83

Noes: Campbell, Clark, DeBruycker, Ellison, Gilbert, Grinde, Guthrie, Hanson, Kasten, Lee, Marks, Phillips, Swysgood, Thoft, Thomas, Zook.

Total 16

Paired: Grady, Aye; Kasten, No.

Excused: Ramirez.

Total 1

Absent or not voting: None.

Total 0

Representative Harper moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Harrington moved the adoption of the committee report. Report adopted. (88-8)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 29, Governor's amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Grady, Ramirez.

Total 2

Absent or not voting: Patterson.

Total 1

HB 123, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Grady, Ramirez.

Total 2

Absent or not voting: Hansen, Patterson.

Total 2

HB 150, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars,

Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: Grady, Ramirez.
Total 2

Absent or not voting: Patterson.
Total 1

REPORTS OF STANDING COMMITTEES

JUDICIARY (D. Brown, Chairman):

3/1/89

SB 38, be concurred in. Report adopted.
SB 66, be concurred in. Report adopted.
SB 199, be concurred in. Report adopted.
SB 204, third reading copy, be amended as follows:

1. Page 11, line 11.
Strike: "NURSE,"

2. Page 12, line 19.
Strike: "(C)"

3. Page 18, line 10.
Following: line 9

Insert: "(1) On or before admission to a hospital or as soon as possible thereafter, a person designated by the hospital shall ask each patient who is at least 18 years of age: 'Are you an organ or tissue donor?' The designated person shall then make available to a person who answers in the negative basic information regarding the option to make or refuse to make an anatomical gift. The question must be asked and the basic information must be made available with reasonable discretion and sensitivity to the circumstances of the patient and are not required if a gift is not suitable, based upon accepted medical standards, for a purpose specified in 72-17-202 or if there are medical or emotional conditions under which the question or the information would contribute to severe emotional distress. If the answer is affirmative, the person shall request a copy of the document of gift. The answer to the question, an available copy of any document of gift or refusal to make an anatomical gift, and any other relevant information must be placed in the patient's medical record."

Renumber: subsequent subsections

And, as amended, be concurred in. Report adopted.

SB 314, be concurred in. Report adopted.

MOTIONS

Representative Spaeth moved HB 200 be taken from engrossing and rereferred to the Committee on Appropriations. Motion carried.

SPECIAL ORDERS OF THE DAY

The following sponsor was removed from HB 739: Connelly.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved the House adjourn until 1:00 p.m., Thursday, March 2, 1989.

Motion carried.

House adjourned at 2:50 p.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

FORTY-NINTH LEGISLATIVE DAY

Helena, Montana
March 2, 1989

House Chambers
State Capitol

House convened at 1:00 p.m., Mr. Speaker in the Chair. Invocation by Representative Rice. Pledge of Allegiance to the Flag.

Roll call. All members present except D. Brown, Daily, Darko, Johnson, Moore, and Spaeth, excused. Quorum present.

SPECIAL ORDERS OF THE DAY

The Montanans, a choral ensemble from Montana State University, performed for the House. Members of the group consisted of:

Sheila Brenteson
Scott Corey
Lancy Fitzgerald
Alicia Lipscomb
Cecil Mocabee
Jan Mock
Ellen Mundy
Brenda Peterson

Jim Price
Heide Sather
Danny Schmidt
Denise Stahlberg
Max Stimac
Aileen Teberg
Bret Weston
Jon Wilson

Lowell Hickman, Conductor

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 3/2/89
Correctly printed: HB 76, HB 166, HB 525, HB 564, HB 604, HB 744.
Correctly engrossed: HB 618.

AGRICULTURE, LIVESTOCK, AND IRRIGATION (Bachini, Chairman): 3/1/89

SJR 11, be concurred in. Report adopted.

APPROPRIATIONS (Bardanoue, Chairman): 3/1/89
HB 723, introduced bill, be amended as follows:

1. Page 21, lines 7 through 21.

Strike: lines 7 through 21 in their entirety

Insert: "(a) Countable income during the first 2 months of continuous eligibility is the income the household is likely to receive during the benefit month less the amounts excluded in 53-3-205(2)."

(b) Countable income in the third and all consecutive continuous months of eligibility is the income the household received in the second calendar month immediately preceding the benefit month less the amounts excluded in 53-3-205(2)."

And, as amended, do pass. Report adopted.

BUSINESS AND ECONOMIC DEVELOPMENT (Pavlovich, Chairman): 3/1/89

SB 16, third reading copy, be amended as follows:

1. Page 4, lines 11 through 17.

Following: "shall" on line 11

Strike: remainder of line 11 through "(5)" on line 17

Insert: ", if the holder has filed a notice under subsection (3), deliver to the clerk and recorder two additional copies of the certificate and the proof and acknowledgment, and the clerk and recorder shall

deliver one of the additional copies of each to the county treasurer and to the department of revenue or its agent"

And, as amended, be concurred in. Report adopted.

SB 27, third reading copy, be amended as follows:

1. Page 21, line 10.

Strike: "or"

Following: "director"

Insert: ", person occupying a similar status or performing similar functions, or person directly or indirectly controlling the broker-dealer or investment adviser"

And, as amended, be concurred in. Report adopted.

SB 43, be concurred in. Report adopted.

SB 76, be concurred in. Report adopted.

SB 115, be concurred in. Report adopted.

SB 150, be concurred in. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Schye, Chairman): 3/2/89

SB 46, be concurred in. Report adopted.

SB 89, be concurred in. Report adopted.

SB 281, be concurred in. Report adopted.

HUMAN SERVICES AND AGING (Hansen, Chairman):

3/2/89

SB 15, be concurred in. Report adopted.

SB 26, be concurred in. Report adopted.

SB 63, be concurred in. Report adopted.

SB 74, be concurred in. Report adopted.

JUDICIARY (D. Brown, Chairman):

3/2/89

SB 31, be concurred in. Report adopted.

SB 36, be concurred in. Report adopted.

SB 177, be concurred in. Report adopted.

SB 324, be concurred in. Report adopted.

NATURAL RESOURCES (Raney, Chairman):

3/2/89

SB 8, be concurred in. Report adopted.

SB 154, be concurred in. Report adopted.

SB 161, third reading copy, be amended as follows:

1. Title, lines 7 and 8.

Following: "STATE"

Strike: "RATHER" on line 7 through "VALUE" on line 8

Insert: ", EXCEPT THAT THE BOND MUST BE IN AN AMOUNT EQUAL TO AT LEAST 5 PERCENT OF THE ESTIMATED VALUE OF THE TIMBER SOLD"

2. Page 1, line 25.

Following: "(2)"

Strike: "As"

Insert: "(a) Except as provided in subsection (2)(b), as"

3. Page 2.

Following: line 5

Insert: "(b) The bond required under this section must be in an amount equal to at least 5% of the estimated value of the timber sold."

And, as amended, be concurred in. Report adopted.

Representative Mercer excused at this time.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:

3/1/89

HB 90, introduced by Eudaily

HB 94, introduced by Gilbert

HB 110, introduced by Eudaily

House bills returned, by request of the House, for further consideration:

3/1/89

HB 340, introduced by Lee

HB 508, introduced by Darko

MOTIONS

Representative Raney moved HB 603 be taken from second reading this legislative day and placed on second reading the 51st legislative day. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Rice in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 12 - Representative Pavlovich moved HB 12 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Koehnke, Lee, McCormick, McDonough, Menahan, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 85

Noes: Cobb.

Total 1

Excused: D. Brown, Daily, Darko, Johnson, Mercer, Moore, Spaeth.

Total 7

Absent or not voting: Bardanouve, Blotkamp, Ellison, Knapp, Marks, R. Nelson, Smith.

Total 7

Representative D. Brown present at this time.

Representative Roth excused at this time.

HB 236 - Representative R. Nelson moved HB 236 do pass. Motion failed as follows:

Ayes: Bachini, Blotkamp, Brooke, D. Brown, Campbell, Clark, Cocchiarella, Cohen, Compton, Davis, DeMars, Driscoll, Elliott, Eudaily, Harrington, Kimberley, McDonough, L. Nelson, R. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, Rice, Schye, Stang, Stepler, Strizich, Thomas, Wallin, Wyatt, Mr. Speaker.

Total 37

Noes: Aafedt, Addy, Bardanouve, Boharski, Bradley, J. Brown, Cobb, Cody, Connelly, DeBruycker, Ellison, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Kadas, Kasten, Keller, Kilpatrick, Koehnke, Lee, Marks, McCormick, Menahan, T. Nelson, Patterson, Phillips, Ramirez, Rehberg, Roth, Russell, Simon, Simpkins, Spring, Squires, Stickney, Swift, Swysgood, Thoft, Westlake, Whalen, Zook.

Total 54

Excused: Daily, Darko, Johnson, Mercer, Moore, Spaeth.

Total 6

Absent or not voting: Knapp, Owens, Smith.

Total 3

HB 415 - Representative Patterson moved HB 415 be placed below HB 452 on the second reading board. Motion carried.

Representative Mercer present at this time.

HB 420 - Representative Koehnke moved HB 420 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Koehnke, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simpkins, Smith, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 86

Noes: Cohen, Gilbert, Lee, Owens, Peck, Peterson, Simon.

Total 7

Excused: Daily, Darko, Johnson, Moore, Spaeth.

Total 5

Absent or not voting: Knapp, Marks.

Total 2

Representative Knapp present at this time.

HB 444 - Representative J. Brown moved HB 444 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Davis, DeMars, Driscoll, Elliott, Ellison, Gervais, Glaser, Gould, Grady, Hansen, Harper, Hoffman, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, L.

Nelson, R. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Quilici, Raney, Rice, Russell, Schye, Simpkins, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.
Total 66

Noes: Aafedt, DeBruycker, Giacometto, Gilbert, Good, Grinde, Guthrie, Hannah, Hanson, Hayne, Iverson, Marks, T. Nelson, Owens, Peterson, Phillips, Ramirez, Ream, Rehberg, Roth, Simon, Smith, Thomas, Zook.
Total 24

Excused: Daily, Darko, Johnson, Moore, Spaeth.
Total 5

Absent or not voting: Bardanoue, Eudaily, Harrington, Knapp, Patterson.
Total 5

HB 452 - Representative Cody moved HB 452 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: Swysgood.
Total 1

Excused: Daily, Darko, Johnson, Moore, Spaeth.
Total 5

Absent or not voting: Bardanoue, Kadas, Pavlovich.
Total 3

HB 415 - Representative Harrington moved HB 415, second reading copy, be amended as follows:

1. Title, line 8.

Following: "~~CERTAIN~~"

Insert: "THE FIRST \$5,000 OR LESS OF VALUE OF"

2. Page 2, line 23.

Following: "not"

Strike: "~~hand-held~~"

Insert: "included in class seven property or that are exempt under 15-6-201 (1)(r)"

3. Page 6, line 25.

Following: "Act"

Strike: "~~, and~~"

Insert: "."

4. Page 3, line 2.

Following: "not"

Strike: "hand-held"

Insert: "included in class seven property or that are exempt under 15-6-201 (1)(r)"

5. Page 7, line 1.

Following: "(r)"

Strike: "any tool"

Insert: "provided the tools are owned by the taxpayer, the first \$5,000 or less of market value of tools"

Following: "that" in both instances

Strike: "is" in both instances

Insert: "are" in both instances

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Glaser, Gould, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 85

Noes: Compton, Giacometto, Gilbert, Good, Grady, Hannah, Rehberg, Swysgood.

Total 8

Excused: Daily, Darko, Johnson, Moore, Spaeth.

Total 5

Absent or not voting: Marks, Pavlovich.

Total 2

Representative Patterson moved HB 415, as amended, do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Compton, Connelly, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Harrington, Hayne, Hoffman, Iverson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: Bradley, Cody, Harper, R. Nelson, Wallin.

Total 5

Excused: Daily, Darko, Johnson, Moore, Spaeth.

Total 5

Absent or not voting: Hanson.

Total 1

HB 453 - Representative Cody moved HB 453 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: Gilbert, Good, Peck, Swysgood, Thoft.

Total 5

Excused: Daily, Darko, Johnson, Moore, Spaeth.

Total 5

Absent or not voting: Ramirez.

Total 1

HB 472 - Representative Raney moved HB 472, second reading copy, be amended as follows:

1. Page 22, line 11.

Following: "at"

Strike: "10%"

Insert: "8%"

2. Page 23, line 3.

Following: "at"

Strike: "10%"

Insert: "8%"

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Guthrie.

Total 1

Excused: Daily, Darko, Johnson, Moore, Spaeth.

Total 5

Absent or not voting: Harrington, Spring.

Total 2

Representative Raney moved HB 472, as amended, do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: Grinde, Guthrie, Kasten.

Total 3

Excused: Daily, Darko, Johnson, Moore, Spaeth.

Total 5

Absent or not voting: Bardanouve, Marks, O'Connell, Patterson, Pavlovich.

Total 5

HB 545 - Representative Schye moved HB 545 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, O'Connell, O'Keefe, Owens, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: None.

Total 0

Excused: Daily, Darko, Johnson, Moore, Spaeth.

Total 5

Absent or not voting: Bardanouve, D. Brown, Marks, Nisbet, Patterson, Pavlovich.

Total 6

HB 566 - Representative Harrington moved HB 566, second reading copy, be amended as follows:

1. Page 2, line 17.
Following: "(b)"

Strike: "has a history of being"
Insert: "is"

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: None.
Total 0

Excused: Daily, Darko, Johnson, Moore, Spaeth.
Total 5

Absent or not voting: Nisbet, Patterson.
Total 2

Representative Harrington moved HB 566, as amended, do pass.
Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: None.
Total 0

Excused: Daily, Darko, Johnson, Moore, Spaeth.
Total 5

Absent or not voting: None.
Total 0

HB 567 - Representative Harrington moved HB 567 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne,

Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Daily, Darko, Moore, Spaeth.

Total 4

Absent or not voting: Marks, Owens, Swift.

Total 3

Representative Darko present at this time.

HB 590 - Representative Schye moved HB 590 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Cohen, Stang.

Total 2

Excused: Daily, Moore, Spaeth.

Total 3

Absent or not voting: Ellison.

Total 1

SB 151 - Representative Hansen moved SB 151 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 85

Noes: Campbell, DeBruycker, Giacometto, Good, Koehnke, Marks, Phillips, Raney, Steppler, Stickney.

Total 10

Excused: Daily, Moore, Spaeth.

Total 3

Absent or not voting: Hannah, Hayne.

Total 2

SB 174 - Representative Bradley moved SB 174 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Daily, Moore, Spaeth.

Total 3

Absent or not voting: None.

Total 0

SB 251 - Representative Bachini moved SB 251 be concurred in. Motion carried as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Addy, Good, Harper, Kasten.

Total 4

Excused: Daily, Moore, Spaeth.

Total 3

Absent or not voting: None.

Total 0

Representative Harper moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Rice moved the adoption of the committee report. Report adopted. (92-3)

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

3/2/89

Correctly enrolled: HB 7, HB 38, HB 58, HB 63, HB 75, HB 99, HB 120, HB 129, HB 160, HB 170, HJR 2.

Examined by the sponsors and found to be correct:

HB 7 - Peck

HB 38 - Eudaily

HB 58 - Driscoll

HB 63 - Eudaily

HB 75 - Mercer

HB 99 - Driscoll

HB 120 - Giacometto

HB 129 - Stang

HB 150 - Johnson

HB 160 - Stepler

HB 170 - Hayne

HJR 2 - Peterson

Signed by the Speaker at 2:00 p.m., 3/2/89: HB 7, HB 38, HB 58, HB 63, HB 75, HB 99, HB 120, HB 129, HB 160, HB 170, HJR 2.

STATE ADMINISTRATION (J. Brown, Chairman):

3/2/89

SB 125, be concurred in. Report adopted.

SB 194, be concurred in. Report adopted.

MOTIONS

Representative Addy moved SB 266 be taken from the table in the Committee on Judiciary and be printed and placed on second reading. Motion failed. (49-46)

SPECIAL ORDERS OF THE DAY

The following sponsors were added to HB 277: Hofman, Eck, Boylan, Jacobson, Walker, Anderson, and Blaylock.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved the House adjourn until 12:30 p.m., Friday, March 3, 1989.

Motion carried.

House adjourned at 3:18 p.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

FIFTIETH LEGISLATIVE DAY

Helena, Montana
March 3, 1989

House Chambers
State Capitol

House convened at 12:30 p.m., Mr. Speaker in the Chair. Invocation by Representative Darko. Pledge of Allegiance to the Flag.

Roll call. All members present except Addy, Campbell, Daily, Giacometto, Phillips, Rice, Roth, and Spaeth, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the forty-sixth legislative day, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 3/3/89
Correctly printed: HB 340, HB 723.
Correctly engrossed: HB 12, HB 415, HB 420, HB 444, HB 452, HB 453, HB 472, HB 508, HB 545, HB 566, HB 567, HB 590.
Correctly enrolled: HB 150. 3/2/89
Delivered to the Governor for his approval at 4:45 p.m., 3/2/89: HB 7, HB 38, HB 58, HB 63, HB 75, HB 99, HB 120, HB 129.
Delivered to the Governor for his approval at 10:50 a.m., 3/3/89: HB 160, HB 170.

BUSINESS AND ECONOMIC DEVELOPMENT (Pavlovich, Chairman): 3/3/89
SB 175, be concurred in. Report adopted.
SB 365, be concurred in. Report adopted.
SB 366, be concurred in. Report adopted.

FISH AND GAME (Ream, Chairman): 3/2/89
SB 39, be concurred in. Report adopted.
SB 236, be concurred in. Report adopted.
SB 237, third reading copy, be amended as follows:

1. Page 2, line 21.
Following: "commission"
Strike: the remainder of line 21 through "holder" on page 3, line 5
2. Page 3, line 10.
Strike: "a"
Following: "elk"
Strike: "license"
Insert: "licenses"
Following: "the"
Insert: "department's"
3. Page 3, line 11.
Strike: "a"
Following: "elk"
Strike: "permit"
Insert: "permits"

And, as amended, be concurred in. Report adopted.

HIGHWAYS AND TRANSPORTATION (Stang, Chairman): 3/2/89
SB 216, be concurred in and placed on consent calendar. Report adopted.

SB 221, be concurred in. Report adopted.

JUDICIARY (D. Brown, Chairman):

3/3/89

SB 12, be concurred in. Report adopted.

SB 120, be concurred in. Report adopted.

SB 135, be concurred in. Report adopted.

SB 391, be concurred in. Report adopted.

LOCAL GOVERNMENT (Darko, Chairman):

3/3/89

SB 64, third reading copy, be amended as follows:

1. Page 3, line 9.

Strike: "AND"

2. Page 3, line 10.

Strike: "."

Insert: "," and"

3. Page 3.

Following: line 10

Insert: "(iii) the name of the person to whom the original notice was given."

And, as amended, be concurred in. Report adopted.

SB 69, third reading copy, be amended as follows:

1. Page 3, line 11.

Strike: "and political subdivisions"

2. Page 3, line 14.

Strike: "the"

Insert: "a"

3. Page 3, line 15.

Following: "clerk,"

Strike: "the"

Insert: "any applicable"

4. Page 3, line 16.

Strike: "monthly"

Insert: "periodic"

5. Page 3, line 16.

Strike: "," UNLESS OTHERWISE PROVIDED"

And, as amended, be concurred in. Report adopted.

SB 71, be concurred in. Report adopted.

SB 77, be concurred in. Report adopted.

SB 141, be concurred in. Report adopted.

SB 457, be concurred in. Report adopted.

Representative Ramirez rose to a point of order relating to HB 618 being placed on third reading.

Speaker Vincent ruled HB 618 was correctly placed on third reading.

Representative Ramirez appealed the ruling.

Representative Harper moved the House recess until 1:05 p.m. to allow the Committee on Rules to meet.

Motion carried.

House recessed at 12:50 p.m.

House reconvened at 1:25 p.m.

Speaker Vincent informed the House the Committee on Rules had not reached a final determination regarding the placement of a rereferred, unamended second reading bill on third reading. Until such determination is made, Speaker Vincent placed HB 618 on second reading.

Representatives Clark and Russell excused at this time.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:

3/2/89

HB 180, introduced by Hannah

HB 196, introduced by Cobb

House bill concurred in as amended and returned to the House for concurrence in Senate amendments:

3/2/89

HB 182, introduced by Quilici

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 752, introduced by Raney, Cohen, Kadas, O'Keefe, referred to Committee on Natural Resources

HB 753, introduced by Pavlovich, Quilici, referred to Committee on Taxation

HB 754, introduced by Harper, Simon, Lynch, Bishop, Yellowtail, Hager, O'Keefe, Walker, referred to Committee on Natural Resources

HB 755, introduced by Thomas, Farrell, referred to Committee on Appropriations

HB 756, introduced by Mercer, Harding, Pinsoneault, Davis, Ream, Halligan, Thomas, Lee, Nathe, Harp, B. Brown, Crippen, Eudaily, Brooke, R. Nelson, Cocchiarella, Kadas, Squires, Hansen, Smith, Owens, Hannah, O'Connell, referred to Committee on Appropriations

HB 757, introduced by Giacometto, Weeding, Beck, O'Keefe, Marks, Harper, DeMars, Thoft, referred to Committee on Natural Resources

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Rehberg in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Representatives Grinde, Knapp, and Swysgood excused at this time.

Representatives Hayne and Marks present at this time.

HB 76 - Representative Bardanoue moved HB 76 do pass. Motion failed as follows:

Ayes: Addy, Bachini, Bardanoue, Blotkamp, Bradley, Brooke, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Darko, Davis, DeMars, Driscoll, Elliott, Gervais, Hansen, Harper, Harrington, Kadas, Kilpatrick, Kimberley,

McCormick, McDonough, Menahan, Moore, L. Nelson, Nisbet, O'Keefe, Peck, Quilici, Raney, Ream, Russell, Schye, Spaeth, Squires, Stickney, Westlake, Whalen, Mr. Speaker.

Total 42

Noes: Aafedt, Boharski, D. Brown, Clark, Cobb, Compton, DeBruycker, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Knapp, Koehnke, Lee, Marks, Mercer, R. Nelson, T. Nelson, O'Connell, Owens, Patterson, Pavlovich, Peterson, Phillips, Ramirez, Rehberg, Rice, Roth, Simon, Simpkins, Smith, Spring, Stang, Steppler, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Wyatt, Zook.

Total 56

Paired: Addy, Brooke, Cody, Cohen, Hansen, Kadas, Kimberley, McDonough, Raney, Ream, Schye, Spaeth, Whalen, Ayes; D. Brown, Clark, Giacometto, Grady, Grinde, Hannah, Knapp, R. Nelson, Phillips, Rice, Roth, Swift, Swysgood, Noes.

Excused: Campbell, Daily.

Total 2

Absent or not voting: None.

Total 0

Representatives Knapp and Swift present at this time.

HB 166 - Representative Good moved HB 166 do pass. Motion carried as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Russell, Schye, Simon, Simpkins, Spring, Stang, Steppler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 83

Noes: Hayne, Smith.

Total 2

Excused: Addy, D. Brown, Campbell, Clark, Daily, Giacometto, Grady, Grinde, Phillips, Rice, Roth, Spaeth, Swysgood.

Total 13

Absent or not voting: Kadas, Squires.

Total 2

HB 525 - Representative Mercer moved consideration of HB 525 be placed at the bottom of the second reading board. Motion carried.

Representatives Grinde and Swysgood present at this time.

HB 564 - Representative McCormick moved HB 564 do pass. Motion carried as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis,

DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Glaser, Good, Hannah, Hansen, Hanson, Harper, Harrington, Hoffman, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Moore, L. Nelson, R. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, Rehberg, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 76

Noes: Boharski, Ellison, Gilbert, Gould, Guthrie, Hayne, Iverson, Kasten, Lee, T. Nelson, Ramirez.

Total 11

Excused: Addy, D. Brown, Campbell, Clark, Daily, Giacometto, Grady, Phillips, Rice, Roth, Spaeth.

Total 11

Absent or not voting: Grinde, Mercer.

Total 2

Representative Rice present at this time.

HB 607 - Representative Hannah moved HB 607 do pass. Motion carried as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: None.

Total 0

Excused: Addy, D. Brown, Campbell, Clark, Daily, Giacometto, Grady, Phillips, Roth, Spaeth.

Total 10

Absent or not voting: Marks.

Total 1

Representative Clark present at this time.

HB 744 - Representative Quilici moved HB 744 do pass. Motion carried as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson,

Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: Wallin.

Total 1

Excused: Addy, D. Brown, Campbell, Daily, Giacometto, Grady, Phillips, Roth, Spaeth.

Total 9

Absent or not voting: Marks.

Total 1

SB 8 - Representative Brooke moved SB 8 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Blotkamp, Bradley, Brooke, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeMars, Elliott, Ellison, Eudaily, Gervais, Glaser, Good, Gould, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Schye, Simpkins, Smith, Spring, Squires, Stepler, Stickney, Strizich, Swift, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 76

Noes: Aafedt, Boharski, Clark, DeBruycker, Gilbert, R. Nelson, Owens, Swysgood, Thoft, Thomas.

Total 10

Excused: Addy, D. Brown, Campbell, Daily, Giacometto, Grady, Phillips, Roth, Spaeth.

Total 9

Absent or not voting: Driscoll, Hannah, Menahan, Simon, Stang.

Total 5

SB 14 - Representative Hoffman moved SB 14 be concurred in. Motion carried as follows:

Ayes: Aafedt, Bachini, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 85

Noes: None.

Total 0

Excused: Addy, D. Brown, Campbell, Daily, Giacometto, Grady, Phillips, Roth, Spaeth.

Total 9

Absent or not voting: Bardanouve, Hannah, Mercer, Stang, Thomas, Wallin.

Total 6

SB 15 - Representative Whalen moved SB 15, third reading copy, be amended as follows:

1. Page 2, line 16.

Following: "the"

Insert: "affidavit"

Amendment passed as follows:

Ayes: Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Glaser, Gould, Hanson, Harper, Harrington, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough, Menahan, Moore, L. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Quilici, Raney, Ream, Rehberg, Simpkins, Squires, Stickney, Strizich, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 52

Noes: Aafedt, Clark, Compton, DeBruycker, Ellison, Gilbert, Grinde, Guthrie, Hannah, Hayne, Hoffman, Iverson, Kasten, Keller, Lee, Marks, Mercer, R. Nelson, T. Nelson, Owens, Peterson, Ramirez, Rice, Simon, Smith, Spring, Stang, Stepler, Swift, Swysgood, Thoft, Thomas, Wallin, Zook.

Total 34

Excused: Addy, D. Brown, Campbell, Daily, Giacometto, Grady, Phillips, Roth, Spaeth.

Total 9

Absent or not voting: Cobb, Good, Hansen, Russell, Schye.

Total 5

Representative Whalen moved SB 15, as amended, be concurred in.
Motion failed as follows:

Ayes: Bachini, Bardanouve, Blotkamp, Bradley, Brooke, Cocchiarella, Darko, Driscoll, Gervais, Glaser, Harrington, Kadas, Kilpatrick, Kimberley, McDonough, Menahan, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Quilici, Raney, Ream, Russell, Squires, Stickney, Strizich, Whalen, Wyatt, Mr. Speaker.

Total 32

Noes: Aafedt, Boharski, J. Brown, Clark, Cobb, Cody, Cohen, Compton, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gilbert, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Keller, Knapp, Koehnke, Lee, Marks, McCormick, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Patterson, Peterson, Ramirez, Rehberg, Rice, Schye, Simon, Simpkins, Smith, Spring, Stang, Stepler, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Zook.

Total 57

Excused: Addy, D. Brown, Campbell, Daily, Giacometto, Grady, Phillips, Roth, Spaeth.

Total 9

Absent or not voting: Connelly, Kasten.

Total 2

SB 23 - Representative McDonough moved SB 23 be concurred in.
Motion carried as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Glaser, Good, Gould, Grinde, Guthrie, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 85

Noes: Gilbert, Whalen.

Total 2

Excused: Addy, D. Brown, Campbell, Daily, Giacometto, Grady, Phillips, Roth, Spaeth.

Total 9

Absent or not voting: Hannah, Hansen, Kadas, Marks.

Total 4

SB 24 - Representative McDonough moved SB 24 be concurred in.
Motion carried as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: None.

Total 0

Excused: Addy, D. Brown, Campbell, Daily, Giacometto, Grady, Phillips, Roth, Spaeth.

Total 9

Absent or not voting: Gervais, Stang.

Total 2

Representative Harper moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair.

Representative Pavlovich moved SB 15 be segregated from the Committee of the Whole report and the remainder of the report be adopted. Motion carried. (47-42)

REPORTS OF STANDING COMMITTEES

BUSINESS AND ECONOMIC DEVELOPMENT (Pavlovich, Chairman):
3/3/89

SB 179, third reading copy, be amended as follows:

1. Title, line 6.

Strike: "A"

Insert: "2 YEARS OF"

Strike: "DIPLOMA"

Following: "OR"

Strike: "ITS"

Insert: "THE"

Following: "EQUIVALENT"

Insert: "OF A HIGH SCHOOL DIPLOMA"

2. Page 1, line 20.

Strike: "possess a"

Insert: "have completed 2 years of"

Following: "school"

Strike: "diploma"

Following: "or"

Insert: "possess"

And, as amended, be concurred in. Report adopted.

SB 298, third reading copy, be amended as follows:

1. Page 5, line 13.

Following: "(4)"

Insert: "(a)"

2. Page 5, line 14.

Strike: "(a)"

Insert: "(i)"

3. Page 5, line 22.

Strike: "(b)"

Insert: "(ii)"

4. Page 6, line 1.

Following: page 5

Insert: "(b) Long-term care insurance does not include an insurance policy that is offered primarily to provide basic medicare supplement coverage, basic hospital expense coverage, basic medical-surgical expense coverage, hospital confinement indemnity coverage, major medical expense coverage, disability income protection coverage, accident only coverage, specified disease or specified accident coverage, or limited benefit health coverage.

(c) An insurance policy that is offered primarily to provide basic medicare supplement coverage, basic hospital expense coverage, basic medical-surgical expense coverage, hospital confinement indemnity coverage, major medical expense coverage, disability income protection coverage, accident only coverage, specified disease or specified accident coverage, or limited benefit health coverage and that also contains long-term care insurance benefits of a duration of at least

6 months is not required to meet the requirements of [this act] unless the premium allocable to the long-term care insurance benefits contained in the policy is greater than 25% of the total policy premium."

5. Page 6, line 20.

Following: "of"

Strike: "the"

Insert: "a"

6. Page 6, lines 20 through 22.

Following: "state" on line 20

Strike: remainder of line 20 through "and" on line 22

7. Page 6, line 22.

Strike: "state"

8. Page 7, line 24.

Following: "33-22-508"

Insert: "or include a provision for continuation of coverage that maintains coverage under the existing group policy if the coverage would otherwise terminate"

9. Page 7, line 25 through page 8, line 9.

Strike: subsection (3) in its entirety

10. Page 15, line 8.

Following: "act]."

Insert: "A policy that contains long-term care insurance benefits of a duration of at least 6 months must meet the requirements of [this act] if the premium allocable to the long-term care benefits is greater than 25% of the total policy premium."

11. Page 15, line 9.

Strike: "Sections 6,"

Insert: "Section"

12. Page 15, line 10.

Following: "8"

Strike: ","

And, as amended, be concurred in. Report adopted.

SB 330, third reading copy, be amended as follows:

1. Title, lines 5 through 9.

Following: "INDUSTRY;" on line 5

Strike: remainder of line 5 through "AGENTS;" on line 9

2. Title, line 13.

Strike: "33-2-119,"

3. Page 2, line 4.

Strike: section 1 in its entirety

Renumber: subsequent sections

And, as amended, be concurred in. Report adopted.

STATE ADMINISTRATION (J. Brown, Chairman):

3/3/89

SB 11, be concurred in. Report adopted.

SB 41, be concurred in. Report adopted.

SB 346, third reading copy, be amended as follows:

1. Page 4.

Following: line 20

Insert: "NEW SECTION. Section 5. Coordination instruction. If Senate Bill No. 125 and this bill are passed and approved:

(1) the first sentence in 19-4-402 must read as follows:

"(1) (a) A member who became a member before July 1, 1989, may apply for creditable service in the retirement system for out-of-state employment service that would have been acceptable under the provisions of this chapter if the service had been performed in the state of Montana."

(2) the first sentence in 19-4-403 must read as follows:

"(1) A member with 5 years or more of creditable service in the retirement system who became a member before July 1, 1989, may apply for creditable service for employment while on leave."

And, as amended, be concurred in. Report adopted.

SJR 7, be concurred in. Report adopted.

TAXATION (Harrington, Chairman):

3/3/89

SB 52, be concurred in. Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 58 concurred in as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: None.

Total 0

Excused: Addy, D. Brown, Campbell, Daily, Giacometto, Grady, Phillips, Roth, Spaeth.

Total 9

Absent or not voting: Clark, Good, Johnson.

Total 3

SJR 2 concurred in as follows:

Ayes: Aafedt, Bachini, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Cobb, Cocchiarella, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Glaser, Gould, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Johnson, Kadas,

Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 77

Noes: Bardanouve, Cody, Driscoll, Gilbert, Hannah, Iverson, Koehnke, T. Nelson, Peck, Steppler, Whalen.

Total 11

Excused: Addy, D. Brown, Campbell, Daily, Giacometto, Grady, Phillips, Roth, Spaeth.

Total 9

Absent or not voting: Clark, Good, Thoft.

Total 3

MOTIONS

Representative Pavlovich moved SB 267 be taken from the Committee on Agriculture, Livestock, and Irrigation and rereferred to the Committee on Business and Economic Development. Motion carried.

Representative Pavlovich moved SB 15 be taken from second reading and referred to the Committee on Business and Economic Development. Motion failed. (50-37)

Representative Lee moved his vote on HB 546, second reading, be recorded as no. Motion carried.

Representative J. Brown moved SB 356 be taken from second reading and rereferred to the Committee on State Administration. Motion carried.

Representative D. Brown present at this time.

Representative Mercer moved SB 15 be taken from second reading and rereferred to the Committee on Business and Economic Development. Motion carried. (64-28)

Representative Stickney moved the rules be suspended to permit the late drafting of two resolutions. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved the House adjourn until 8:00 a.m., Saturday, March 4, 1989.

Motion carried.

House adjourned at 3:07 p.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

FIFTY-FIRST LEGISLATIVE DAY

Helena, Montana
March 4, 1989

House Chambers
State Capitol

House convened at 8:00 a.m., Mr. Speaker in the Chair. Invocation by Representative Aafedt. Pledge of Allegiance to the Flag.

Roll call. All members present except Daily, Lee, Pavlovich, Spaeth, and Stang, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 3/4/89
Correctly engrossed: HB 166, HB 564, HB 607, HB 744.
Signed by the Speaker at 2:10 p.m., 3/3/89: HB 150.
Delivered to the Governor for his approval at 4:50 p.m., 3/3/89: HB 150.

AGRICULTURE, LIVESTOCK, AND IRRIGATION (Bachini, Chairman): 3/3/89

SB 176, be concurred in. Report adopted.
SB 213, be concurred in. Report adopted.
SB 222, be concurred in. Report adopted.
SB 233, be concurred in. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Schye, Chairman): 3/3/89
SB 304, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

House bill concurred in and returned to the House: 3/3/89

HJR 8, introduced by D. Brown

House bill concurred in as amended and returned to the House for concurrence in Senate amendments: 3/3/89

HB 62, introduced by Hanson

Governor's amendments to House Bill concurred in and returned to House: 3/3/89

HB 29, introduced by Harrington

House bill not concurred in and returned to the House: 3/3/89

HB 179, introduced by Lee

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following Senate bills were introduced, read first time, and referred to committees:

SB 165, introduced by B. Brown, Van Valkenburg, Bradley, Mercer (by request of the Governor's Office), referred to Committee on Labor and Employment Relations

SB 396, introduced by Meyer, Phillips, Clark, Grinde, Campbell, Hanson, Thoft, Harp, Zook, Hoffman, DeBruycker, Kasten, Mercer, Patterson, Ramirez, Cobb, Roth, Galt, Story, Rehberg, Giacometto, Beck, Hammond, Farrell, Noble, McLane, Thayer, Gage, Jenkins (by request of the Governor), referred to Committee on Judiciary

SB 397, introduced by Meyer, Cody, Phillips, Clark, Grinde, Campbell, Hoffman, DeBruycker, Kasten, Mercer, Rehberg, Patterson, Thoft,

Harp, Moore, Ramirez, Cobb, Zook, Roth, Story, Galt, Giacometto, Pavlovich, O'Connell, Beck, Hammond, Farrell, Noble, McLane, Thayer, Gage, Jenkins (by request of the Governor), referred to Committee on Judiciary

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Harrington in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Representative Moore present at this time.

HB 618 - Representative Marks moved HB 618, third reading copy, be amended. Amendment failed. (44-55)

Representative Schye moved HB 618 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Gervais, Glaser, Hansen, Harper, Harrington, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Koehnke, McCormick, McDonough, Menahan, Moore, L. Nelson, R. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, Russell, Schye, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 55

Noes: Aafedt, Boharski, Campbell, Clark, Cobb, Compton, DeBruycker, Ellison, Eudaily, Giacometto, Gilbert, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Kasten, Keller, Knapp, Marks, Mercer, T. Nelson, Owens, Patterson, Peterson, Phillips, Ramirez, Rehberg, Rice, Roth, Simon, Simpkins, Smith, Spring, Swift, Swysgood, Thoft, Thomas, Wallin, Zook.

Total 44

Paired: Daily, Pavlovich, Spaeth, Stang, Ayes; Hannah, Mercer, Rehberg, Roth, Noes.

Excused: Lee.

Total 1

Absent or not voting: None.

Total 0

Representative Giacometto excused at this time.

HB 525 - Representative Swysgood moved HB 525 do pass.

Representative Ream made a substitute motion that consideration of HB 525 be passed for the day. Motion carried.

Representative Quilici excused at this time.

SB 26 - Representative Darko moved SB 26 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen,

Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Daily, Giacometto, Lee, Pavlovich, Quilici, Spaeth, Stang.

Total 7

Absent or not voting: D. Brown.

Total 1

SB 30 - Representative Gilbert moved SB 30 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: None.

Total 0

Excused: Daily, Giacometto, Lee, Pavlovich, Quilici, Spaeth, Stang.

Total 7

Absent or not voting: Bardanouve, D. Brown, Kadas, Kimberley.

Total 4

Representative Giacometto present at this time.

SB 31 - Representative Rice moved SB 31 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Ramirez, Raney, Ream, Rehberg, Rice,

Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Daily, Lee, Pavlovich, Quilici, Spaeth, Stang.

Total 6

Absent or not voting: Bardanouve, D. Brown.

Total 2

SB 36 - Representative Knapp moved SB 36 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Steppler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 85

Noes: Campbell, Cobb, Gilbert, Grinde, Hannah, Swysgood.

Total 6

Excused: Daily, Lee, Pavlovich, Quilici, Spaeth, Stang.

Total 6

Absent or not voting: Bardanouve, D. Brown, R. Nelson.

Total 3

SB 37 - Representative Wallin moved SB 37 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Knapp, Koehnke, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Peck, Peterson, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 82

Noes: Driscoll, Giacometto, Gilbert, Hannah, Kimberley, Marks, Patterson, Phillips, Roth, Swift.

Total 10

Excused: Daily, Lee, Pavlovich, Quilici, Spaeth, Stang.

Total 6

Absent or not voting: Bardanouve, D. Brown.
Total 2

SB 38 - Representative Wyatt moved SB 38 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: None.
Total 0

Excused: Daily, Lee, Pavlovich, Quilici, Spaeth, Stang.
Total 6

Absent or not voting: D. Brown, Cobb.
Total 2

SB 40 - Representative Hansen moved SB 40 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spring, Squires, Steppler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: Kasten, Koehnke, Schye, Swysgood.
Total 4

Excused: Daily, Lee, Pavlovich, Quilici, Spaeth, Stang.
Total 6

Absent or not voting: None.
Total 0

Representative Bradley excused at this time.

Representative Quilici present at this time.

SB 43 - Representative Simon moved SB 43, third reading copy, be amended. Amendment failed. (43-50)

Representative Keller moved SB 43 be concurred in.

Representative Hannah made a substitute motion SB 43 be placed below SB 90 on the second reading board. Motion carried.

SB 46 - Representative Spring moved SB 46 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Bradley, Daily, Lee, Pavlovich, Spaeth, Stang.

Total 6

Absent or not voting: D. Brown, Grady.

Total 2

SB 49 - Representative Mercer moved consideration of SB 49 be passed for the day. Motion carried.

SB 53 - Representative Darko moved SB 53 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spring, Squires, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: None.

Total 0

Excused: Bradley, Daily, Lee, Pavlovich, Spaeth, Stang.

Total 6

Absent or not voting: D. Brown, Grady, Guthrie, Schye.

Total 4

SB 57 - Representative Roth moved SB 57 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton,

Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Smith, Spring, Squires, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: R. Nelson, Simon.

Total 2

Excused: Bradley, Daily, Lee, Pavlovich, Spaeth, Stang.

Total 6

Absent or not voting: D. Brown, Schye, Simpkins.

Total 3

SB 63 - Representative Stickney moved SB 63 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeMars, Driscoll, Elliott, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 86

Noes: Clark, DeBruycker, Ellison, Owens, Patterson.

Total 5

Excused: Bradley, Daily, Lee, Pavlovich, Spaeth, Stang.

Total 6

Absent or not voting: D. Brown, Eudaily, Grady.

Total 3

SB 66 - Representative Addy moved SB 66 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Squires, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: Clark, Grinde, Guthrie, Hannah.

Total 4

Excused: Bradley, Daily, Lee, Pavlovich, Spaeth, Stang.

Total 6

Absent or not voting: D. Brown, Marks, Spring.

Total 3

SB 72 - Representative Campbell moved SB 72 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, O'Connell, Owens, Patterson, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Smith, Spring, Squires, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 82

Noes: Bardanoue, Elliott, Ellison, Kadas, Nisbet, O'Keefe, Peck, Russell, Whalen.

Total 9

Excused: Bradley, Daily, Lee, Pavlovich, Spaeth, Stang.

Total 6

Absent or not voting: D. Brown, Marks, Menahan.

Total 3

SB 74 - Representative Simon moved SB 74 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Brooke, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 80

Noes: Boharski, Campbell, Cobb, Gilbert, Grinde, Guthrie, Kasten, Phillips, Swift, Wallin.

Total 10

Excused: Bradley, Daily, Lee, Pavlovich, Spaeth, Stang.

Total 6

Absent or not voting: Bardanoue, D. Brown, Ellison, Menahan.

Total 4

SB 76 - Representative T. Nelson moved SB 76 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Brooke, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: None.
Total 0

Excused: Bradley, Daily, Lee, Pavlovich, Spaeth, Stang.
Total 6

Absent or not voting: Bardanouve, D. Brown, J. Brown, Connelly, Menahan.
Total 5

SB 89 - Representative R. Nelson moved SB 89 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 88

Noes: Good, Phillips.
Total 2

Excused: Bradley, Daily, Lee, Pavlovich, Spaeth, Stang.
Total 6

Absent or not voting: Bardanouve, D. Brown, Keller, Menahan.
Total 4

SB 90 - Representative Gilbert moved SB 90 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson,

Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stepler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: None.

Total 0

Excused: Bradley, Daily, Lee, Pavlovich, Spaeth, Stang.

Total 6

Absent or not voting: Bardanouve, D. Brown, Menahan, Swysgood.

Total 4

SB 43 - Representative Keller moved SB 43 be concurred in.

Representative Keller made a substitute motion that consideration of SB 43 be passed for the day. Motion failed.

Thereupon, SB 43 was concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Darko, DeMars, Elliott, Eudaily, Gervais, Grady, Hansen, Harper, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, McCormick, McDonough, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Quilici, Raney, Ream, Russell, Schye, Smith, Squires, Stickney, Strizich, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 47

Noes: Boharski, Campbell, Clark, Cobb, Compton, Davis, DeBruycker, Driscoll, Ellison, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hanson, Harrington, Hayne, Hoffman, Iverson, Kasten, Koehnke, Marks, Menahan, Mercer, O'Connell, Owens, Patterson, Peterson, Phillips, Ramirez, Rehberg, Rice, Roth, Simon, Simpkins, Spring, Stepler, Swift, Swysgood, Thoft, Thomas, Zook.

Total 45

Excused: Bradley, Daily, Lee, Pavlovich, Spaeth, Stang.

Total 6

Absent or not voting: Bardanouve, Connelly.

Total 2

Representatives Eudaily, Gilbert, Glaser, Grady, Grinde, and Ramirez excused at this time.

SB 115 - Representative Quilici moved consideration of SB 115 be passed for the day. Motion carried.

SB 123 - Representative Campbell moved SB 123 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Good, Gould, Grady, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring,

Squires, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 85

Noes: Hannah.

Total 1

Excused: Bradley, Daily, Eudaily, Gilbert, Glaser, Grinde, Lee, Pavlovich, Ramirez, Spaeth, Stang.

Total 11

Absent or not voting: Bardanouve, D. Brown, Kadas.

Total 3

SB 125 - Representative Davis moved SB 125 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Brooke, D. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Gervais, Giacometto, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 85

Noes: None.

Total 0

Excused: Bradley, Daily, Eudaily, Gilbert, Glaser, Grinde, Lee, Pavlovich, Ramirez, Spaeth, Stang.

Total 11

Absent or not voting: Bardanouve, J. Brown, Connelly, Ellison.

Total 4

SB 150 - Representative Hansen moved SB 150 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Gervais, Giacometto, Good, Gould, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Peterson, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Wyatt, Zook, Mr. Speaker.

Total 76

Noes: Cohen, Guthrie, Owens, Peck, Westlake, Whalen.

Total 6

Excused: Bradley, Daily, Eudaily, Gilbert, Glaser, Grinde, Lee, Pavlovich, Ramirez, Spaeth, Stang.

Total 11

Absent or not voting: Bardanouve, D. Brown, Driscoll, Iverson, Marks, Phillips, Quilici.

Total 7

SB 154 - Representative Cobb moved SB 154 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeMars, Elliott, Ellison, Gervais, Giacometto, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 83

Noes: DeBruycker.

Total 1

Excused: Bradley, Daily, Eudaily, Gilbert, Glaser, Grinde, Lee, Pavlovich, Ramirez, Spaeth, Stang.

Total 11

Absent or not voting: Bardanouve, D. Brown, Driscoll, Marks, Thomas.

Total 5

SB 170 - Representative Gould moved SB 170 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Brooke, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Good, Gould, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 84

Noes: Cobb.

Total 1

Excused: Bradley, Daily, Eudaily, Gilbert, Glaser, Grinde, Lee, Pavlovich, Ramirez, Spaeth, Stang.

Total 11

Absent or not voting: Bardanouve, D. Brown, Grady, Johnson.

Total 4

SB 173 - Representative Darko moved SB 173 be concurred in.

Representative Harper made a substitute motion the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Harrington moved the adoption of the committee report.

Representative Eudaily, Glaser, Grinde, and Ramirez present at this time.

Representative Boharski made a substitute motion SB 43 be segregated from the Committee of the Whole report and the remainder of the report be adopted. Motion failed. (38-54)

Thereupon, the report was adopted. (84-8)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Representative Giacometto excused at this time.

HB 12 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Cobb.

Total 1

Excused: Bradley, Daily, Giacometto, Lee, Pavlovich, Spaeth, Stang.

Total 7

Absent or not voting: D. Brown.

Total 1

HB 415 passed as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook.

Total 89

Noes: Bardanouve, Cody, Harper, R. Nelson, Peck.

Total 5

Paired: Bradley, Stang, Ayes; Cody, R. Nelson, Noes.

Excused: Daily, Giacometto, Lee, Pavlovich, Spaeth.

Total 5

Absent or not voting: Mr. Speaker.

Total 1

HB 420 passed as follows:

Ayes: Aafedt, Addy, Bachini, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simpkins, Squires, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 80

Noes: Bardanouve, Cohen, Gilbert, Owens, Peck, Peterson, Phillips, Ream, Simon, Smith, Spring.

Total 11

Excused: Bradley, Daily, Giacometto, Lee, Pavlovich, Spaeth, Stang.

Total 7

Absent or not voting: Blotkamp, Whalen.

Total 2

HB 444 passed as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Glaser, Gould, Grady, Hansen, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Peck, Peterson, Quilici, Raney, Rice, Russell, Schye, Spring, Squires, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 71

Noes: Bardanouve, Boharski, DeBruycker, Gilbert, Good, Grinde, Guthrie, Hannah, Hanson, Hayne, Marks, T. Nelson, Owens, Phillips, Ramirez, Ream, Rehberg, Roth, Simon, Simpkins, Smith, Zook.

Total 22

Excused: Bradley, Daily, Giacometto, Lee, Pavlovich, Spaeth, Stang.

Total 7

Absent or not voting: None.

Total 0

HB 452 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens,

Patterson, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Peck.

Total 1

Excused: Bradley, Daily, Giacometto, Lee, Pavlovich, Spaeth, Stang.

Total 7

Absent or not voting: None.

Total 0

HB 453 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stepler, Stickney, Strizich, Swysgood, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: Peck, Swift, Thoft, Thomas.

Total 4

Excused: Bradley, Daily, Giacometto, Lee, Pavlovich, Spaeth, Stang.

Total 7

Absent or not voting: None.

Total 0

HB 472 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Bradley, Daily, Giacometto, Lee, Pavlovich, Spaeth, Stang.

Total 7

Absent or not voting: None.

Total 0

HB 508 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gould, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, R. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Spring, Squires, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 78

Noes: Boharski, Clark, DeBruycker, Gilbert, Glaser, Good, Grinde, Guthrie, L. Nelson, T. Nelson, Owens, Smith, Steppler, Wallin.

Total 14

Excused: Bradley, Daily, Giacometto, Lee, Pavlovich, Spaeth, Stang.

Total 7

Absent or not voting: Simpkins.

Total 1

HB 545 passed as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: None.

Total 0

Excused: Bradley, Daily, Giacometto, Lee, Pavlovich, Spaeth, Stang.

Total 7

Absent or not voting: Bardanouve, Campbell.

Total 2

HB 566 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens,

Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Bradley, Daily, Giacometto, Lee, Pavlovich, Spaeth, Stang.

Total 7

Absent or not voting: None.

Total 0

HB 567 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Bradley, Daily, Giacometto, Lee, Pavlovich, Spaeth, Stang.

Total 7

Absent or not voting: None.

Total 0

Representative Giacometto present at this time.

HB 590 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spring, Squires, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Smith.

Total 1

Excused: Bradley, Daily, Lee, Pavlovich, Spaeth, Stang.

Total 6

Absent or not voting: Keller.

Total 1

SB 8 concurred in as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Squires, Stepler, Stickney, Strizich, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 78

Noes: Aafedt, Boharski, Campbell, Clark, DeBruycker, Gilbert, Grinde, Hoffman, R. Nelson, Owens, Peck, Spring, Swift, Swysgood, Thoft, Thomas.

Total 16

Excused: Bradley, Daily, Lee, Pavlovich, Spaeth, Stang.

Total 6

Absent or not voting: None.

Total 0

SB 14 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Bradley, Daily, Lee, Pavlovich, Spaeth, Stang.

Total 6

Absent or not voting: None.

Total 0

SB 23 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne,

Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Bradley, Daily, Lee, Pavlovich, Spaeth, Stang.

Total 6

Absent or not voting: Quilici.

Total 1

SB 24 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spring, Squires, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.

Total 89

Noes: Koehnke, Peck, Smith, Wyatt.

Total 4

Excused: Bradley, Daily, Lee, Pavlovich, Spaeth, Stang.

Total 6

Absent or not voting: Ellison.

Total 1

SB 75 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook.

Total 93

Noes: None.

Total 0

Excused: Bradley, Daily, Lee, Pavlovich, Spaeth, Stang.
Total 6

Absent or not voting: Mr. Speaker.
Total 1

SB 110 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Peck.
Total 1

Excused: Bradley, Daily, Lee, Pavlovich, Spaeth, Stang.
Total 6

Absent or not voting: Grinde, Hannah.
Total 2

SB 151 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: Clark, DeBruycker, Ellison, Hayne, Koehnke, Marks.
Total 6

Excused: Bradley, Daily, Lee, Pavlovich, Spaeth, Stang.
Total 6

Absent or not voting: None.
Total 0

SB 174 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde,

Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: None.
Total 0

Excused: Bradley, Daily, Lee, Pavlovich, Spaeth, Stang.
Total 6

Absent or not voting: Campbell.
Total 1

SB 251 concurred in as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 84

Noes: Addy, Cobb, Cohen, Ellison, Good, Harper, Kasten, Koehnke, Marks, Peck.
Total 10

Excused: Bradley, Daily, Lee, Pavlovich, Spaeth, Stang.
Total 6

Absent or not voting: None.
Total 0

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Harrington in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Representatives Eudaily, Gilbert, Glaser, Grinde, and Ramirez excused at this time.

SB 173 - Representative Hannah moved SB 173 be placed below SJR 11 on the second reading board. Motion carried.

Representatives Bachini, Campbell, DeMars, Ellison, Guthrie, Keller, Elliott, Steppler, and Westlake, excused at this time.

SB 177 - Representative Addy moved SB 177 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, Driscoll, Gervais, Giacometto, Good, Gould, Hansen, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Moore, L. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Peck, Peterson, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Squires, Stickney, Strizich, Wallin, Wyatt, Zook, Mr. Speaker.

Total 61

Noes: Clark, Grady, Hannah, Hanson, Hayne, Kasten, Mercer, R. Nelson, T. Nelson, Patterson, Phillips, Simpkins, Smith, Spring, Swift, Swysgood, Thoft, Thomas, Whalen.

Total 19

Excused: Bachini, Bradley, Campbell, Daily, DeMars, Elliott, Ellison, Eudaily, Gilbert, Glaser, Grinde, Guthrie, Keller, Lee, Pavlovich, Ramirez, Spaeth, Stang, Steppler, Westlake.

Total 20

Absent or not voting: None.

Total 0

SB 188 - Representative O'Keefe moved SB 188 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, Driscoll, Gervais, Giacometto, Good, Gould, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 79

Noes: None.

Total 0

Excused: Bachini, Bradley, Campbell, Daily, DeMars, Elliott, Ellison, Eudaily, Gilbert, Glaser, Grinde, Guthrie, Keller, Lee, Pavlovich, Ramirez, Spaeth, Stang, Steppler, Westlake.

Total 20

Absent or not voting: Phillips.

Total 1

SB 194 - Representative Spring moved SB 194 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Boharski, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Compton, Connelly, Darko, Davis, Gervais, Giacometto, Good, Gould, Grady, Hansen, Hanson, Harper, Harrington, Hayne, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Patterson, Peterson, Phillips, Quilici, Raney, Ream, Rehberg,

Rice, Roth, Russell, Schye, Simon, Smith, Spring, Squires, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Whalen, Zook, Mr. Speaker.

Total 64

Noes: Bardanouve, Blotkamp, Clark, Cobb, Cohen, DeBruycker, Driscoll, Hannah, Hoffman, Kasten, Koehnke, O'Keefe, Owens, Peck, Simpkins, Wyatt.

Total 16

Excused: Bachini, Bradley, Campbell, Daily, DeMars, Elliott, Ellison, Eudaily, Gilbert, Glaser, Grinde, Guthrie, Keller, Lee, Pavlovich, Ramirez, Spaeth, Stang, Stepler, Westlake.

Total 20

Absent or not voting: None.

Total 0

SB 199 - Representative Strizich moved SB 199 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, Driscoll, Gervais, Giacometto, Good, Gould, Grady, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 75

Noes: Cobb, Hannah, T. Nelson, Patterson, Swysgood.

Total 5

Excused: Bachini, Bradley, Campbell, Daily, DeMars, Elliott, Ellison, Eudaily, Gilbert, Glaser, Grinde, Guthrie, Keller, Lee, Pavlovich, Ramirez, Spaeth, Stang, Stepler, Westlake.

Total 20

Absent or not voting: None.

Total 0

SB 231 - Representative Moore moved SB 231 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, Driscoll, Gervais, Giacometto, Good, Gould, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Whalen, Wyatt, Zook, Mr. Speaker.

Total 79

Noes: Wallin.

Total 1

Excused: Bachini, Bradley, Campbell, Daily, DeMars, Elliott, Ellison, Eudaily, Gilbert, Glaser, Grinde, Guthrie, Keller, Lee, Pavlovich, Ramirez, Spaeth, Stang, Stepler, Westlake.

Total 20

Absent or not voting: None.

Total 0

SB 281 - Representative Schye moved SB 281 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, Gervais, Giacometto, Good, Gould, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 79

Noes: None.

Total 0

Excused: Bachini, Bradley, Campbell, Daily, DeMars, Elliott, Ellison, Eudaily, Gilbert, Glaser, Grinde, Guthrie, Keller, Lee, Pavlovich, Ramirez, Spaeth, Stang, Stepler, Westlake.

Total 20

Absent or not voting: Driscoll.

Total 1

SB 314 - Representative Brooke moved SB 314 be concurred in.

Representative Simon made a substitute motion to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative Simon moved SB 314, third reading copy, be amended as follows:

1. Title, line 12.

Following: "DISCRIMINATE;"

Insert: "AND"

2. Title, line 13.

Following: "MCA"

Strike: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

3. Page 7, line 21.

Strike: section 6 in its entirety

Amendment passed as follows:

Ayes: Aafedt, Boharski, J. Brown, Clark, Cobb, Compton, DeBruycker, Giacometto, Good, Gould, Grady, Hannah, Hanson, Hayne, Hoffman, Iverson, Kasten, Knapp, Koehnke, Marks, Menahan, Mercer, R. Nelson, T. Nelson, O'Connell, Owens, Patterson, Peterson, Phillips, Rehberg, Rice, Roth, Simon, Simpkins, Smith, Swift, Swysgood, Thoft, Thomas, Wallin, Zook.

Total 41

Noes: Addy, Bardanouve, Blotkamp, Brooke, D. Brown, Cocchiarella, Cody, Cohen, Connelly, Darko, Davis, Driscoll, Gervais, Hansen, Harper, Harrington, Johnson, Kadas, Kilpatrick, Kimberley, McCormick, McDonough, Moore, L. Nelson, Nisbet, O'Keefe, Peck, Raney, Ream, Russell, Schye, Spring, Squires, Stickney, Strizich, Whalen, Wyatt, Mr. Speaker.

Total 38

Excused: Bachini, Bradley, Campbell, Daily, DeMars, Elliott, Ellison, Eudaily, Gilbert, Glaser, Grinde, Guthrie, Keller, Lee, Pavlovich, Ramirez, Spaeth, Stang, Stepler, Westlake.

Total 20

Absent or not voting: Quilici.

Total 1

Thereupon, SB 314, as amended, was concurred in as follows:

Ayes: Addy, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Darko, Davis, Driscoll, Gervais, Gould, Hansen, Harper, Harrington, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McDonough, Mercer, Moore, L. Nelson, Nisbet, O'Keefe, Patterson, Peck, Quilici, Raney, Ream, Rice, Russell, Schye, Simon, Squires, Stickney, Strizich, Whalen, Wyatt, Zook, Mr. Speaker.

Total 50

Noes: Aafedt, Clark, Compton, DeBruycker, Giacometto, Grady, Hannah, Hanson, Hayne, Hoffman, Kasten, McCormick, Menahan, R. Nelson, T. Nelson, O'Connell, Owens, Peterson, Phillips, Rehberg, Roth, Simpkins, Smith, Spring, Swift, Swysgood, Thoft, Wallin.

Total 28

Excused: Bachini, Bradley, Campbell, Daily, DeMars, Elliott, Ellison, Eudaily, Gilbert, Glaser, Grinde, Guthrie, Keller, Lee, Pavlovich, Ramirez, Spaeth, Stang, Stepler, Westlake.

Total 20

Absent or not voting: Good, Thomas.

Total 2

SB 324 - Representative Swysgood moved consideration of SB 324 be passed for the day. Motion carried.

SJR 8 - Representative Gervais moved SJR 8 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, Driscoll, Gervais, Giacometto, Good, Gould, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 80

Noes: None.

Total 0

Excused: Bachini, Bradley, Campbell, Daily, DeMars, Elliott, Ellison, Eudaily, Gilbert, Glaser, Grinde, Guthrie, Keller, Lee, Pavlovich, Ramirez, Spaeth, Stang, Stepler, Westlake.

Total 20

Absent or not voting: None.

Total 0

SJR 11 - Representative Patterson moved SJR 11 be concurred in.
Motion carried as follows:

Ayes: Aafedt, Addy, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, Driscoll, Gervais, Giacometto, Good, Gould, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knapp, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 79

Noes: None.

Total 0

Excused: Bachini, Bradley, Campbell, Daily, DeMars, Elliott, Ellison, Eudaily, Gilbert, Glaser, Grinde, Guthrie, Keller, Lee, Pavlovich, Ramirez, Spaeth, Stang, Stepler, Westlake.

Total 20

Absent or not voting: Koehnke.

Total 1

SB 173 - Representative Harper moved SB 173, third reading copy, be amended as follows:

1. Title, line 6.

Following: line 5

Strike: "REQUIRE A TEMPORARY"

Insert: "OFFER A YEARLY"

Following: "OPERATION OF"

Strike: "ALL"

2. Title, lines 7 and 8.

Following: "MOTORBOATS" on line 7

Strike: "BY" through "ONLY" on line 8

3. Title, line 9.

Following: "SIMILAR"

Strike: "TEMPORARY"

4. Page 1, line 19.

Following: "~~within the county~~"

Insert: "within the county"

5. Page 1, line 21.

Following: "~~in~~"

Strike: "other than"

Insert: "that requires a similar temporary permit for operation in that state of a motorboat licensed in"

6. Page 2, line 1.

Following: "~~within the county~~"

Insert: "within the county"

7. Page 2, line 2.

Following: "~~within the county~~"

Insert: "within the county"

8. Page 2, line 22.

Following: "~~county~~"

Strike: "MONTANA"

Insert: "county"

9. Page 3, line 3.

Following: "of"

Strike: "7-6-2121(1)"

Insert: "7-16-2121(1)"

10. Page 4, line 1.

Following: "a"

Strike: "temporary"

11. Page 4, line 2.

Following: "~~the~~"

Strike: "A"

Insert: "~~the~~"

12. Page 4, line 4.

Following: "~~motorboats~~"

Insert: "if that county requires a temporary permit for out-of-state motorboats"

Amendment passed as follows:

Ayes: Aafedt, Addy, Bardanouve, Blotkamp, Boharski, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, Driscoll, Gervais, Giacometto, Good, Gould, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Squires, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 76

Noes: None.

Total 0

Excused: Bachini, Bradley, Campbell, Daily, DeMars, Elliott, Ellison, Eudaily, Gilbert, Glaser, Grinde, Guthrie, Keller, Lee, Pavlovich, Ramirez, Spaeth, Stang, Stepler, Westlake.

Total 20

Absent or not voting: D. Brown, Kadas, Marks, Spring.

Total 4

Representative Darko moved SB 173, as amended, be concurred in.
Motion carried as follows:

Ayes: Aafedt, Addy, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, Driscoll, Gervais, Giacometto, Gould, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Smith, Spring, Squires, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 73

Noes: Clark, Cobb, Good, Simpkins.

Total 4

Excused: Bachini, Bradley, Campbell, Daily, DeMars, Elliott, Ellison, Eudaily, Gilbert, Glaser, Grinde, Guthrie, Keller, Lee, Pavlovich, Ramirez, Spaeth, Stang, Steppler, Westlake.

Total 20

Absent or not voting: McCormick, Patterson, Peck.

Total 3

HB 182 - Representative Quilici moved Senate amendments to HB 182 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, Driscoll, Gervais, Giacometto, Good, Gould, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 79

Noes: None.

Total 0

Excused: Bachini, Bradley, Campbell, Daily, DeMars, Elliott, Ellison, Eudaily, Gilbert, Glaser, Grinde, Guthrie, Keller, Lee, Pavlovich, Ramirez, Spaeth, Stang, Steppler, Westlake.

Total 20

Absent or not voting: Bardanouve.

Total 1

HB 340 - Representative Mercer moved consideration of HB 340 be passed for the day. Motion carried.

HB 603 - Representative Raney moved HB 603, second reading copy, be amended as follows:

1. Page 13, line 10.

Following: "given"

Strike: "notice"

Amendment passed as follows:

Ayes: Aafedt, Addy, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis,

DeBruycker, Driscoll, Gervais, Giacometto, Good, Gould, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Whalen, Wyatt, Mr. Speaker.

Total 76

Noes: None.

Total 0

Excused: Bachini, Bradley, Campbell, Daily, DeMars, Elliott, Ellison, Eudaily, Gilbert, Glaser, Grinde, Guthrie, Keller, Lee, Pavlovich, Ramirez, Spaeth, Stang, Stepler, Westlake.

Total 20

Absent or not voting: Bardanoue, O'Connell, Roth, Zook.

Total 4

Representatives Eudaily, Gilbert, Glaser, Grinde, and Ramirez present at this time.

Representative Raney moved HB 603, as amended, do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Blotkamp, Boharski, Brooke, J. Brown, Clark, Cocchiarella, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, Driscoll, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 82

Noes: D. Brown, Cobb, Cody.

Total 3

Paired: Stang, Aye; Cobb, No.

Excused: Bachini, Bradley, Campbell, Daily, DeMars, Elliott, Ellison, Guthrie, Keller, Lee, Pavlovich, Spaeth, Stepler, Westlake.

Total 14

Absent or not voting: Bardanoue.

Total 1

HB 723 - Representative Cobb moved HB 723 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, Driscoll, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, Nisbet, O'Keefe, Owens, Patterson, Peck, Peterson,

Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.
Total 81

Noes: Gervais.
Total 1

Excused: Bachini, Bradley, Campbell, Daily, DeMars, Elliott, Ellison, Guthrie, Keller, Lee, Pavlovich, Spaeth, Stang, Stepler, Westlake.
Total 15

Absent or not voting: Bardanouve, T. Nelson, O'Connell.
Total 3

SB 11 - Representative Roth moved SB 11 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, Driscoll, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.
Total 83

Noes: None.
Total 0

Excused: Bachini, Bradley, Campbell, Daily, DeMars, Elliott, Ellison, Guthrie, Keller, Lee, Pavlovich, Spaeth, Stang, Stepler, Westlake.
Total 15

Absent or not voting: Cobb, O'Connell.
Total 2

SB 12 - Representative Brooke moved SB 12 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, Driscoll, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Wyatt, Zook, Mr. Speaker.
Total 80

Noes: Peck, Whalen.
Total 2

Excused: Bachini, Bradley, Campbell, Daily, DeMars, Elliott, Ellison, Guthrie, Keller, Lee, Pavlovich, Spaeth, Stang, Stepler, Westlake.

March 4, 1989

Total 15

Absent or not voting: Bardanouve, Cobb, O'Connell.

Total 3

SB 17 - Representative Kadas moved SB 17, third reading copy, be amended as follows:

Amendment No. 3

Following: "of"

Strike: "a mercedes-benz coupe roadster for the same model year as"

Following: "vehicle"

Strike: "being assessed"

Insert: "as determined by the county assessor, and thereafter depreciated 10% per year until a value of \$500 is reached"

Amendments No. 4, 5, and 6

Strike: in their entirety

Amendment passed as follows:

Ayes: Aafedt, Addy, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, Driscoll, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Smith, Spring, Squires, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 80

Noes: O'Keefe.

Total 1

Excused: Bachini, Bradley, Campbell, Daily, DeMars, Elliott, Ellison, Guthrie, Keller, Lee, Pavlovich, Spaeth, Stang, Steppler, Westlake.

Total 15

Absent or not voting: Bardanouve, McCormick, O'Connell, Russell.

Total 4

Representative Kadas moved SB 17, as amended, be concurred in.
Motion carried as follows:

Ayes: Addy, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, Driscoll, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Smith, Spring, Squires, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Whalen, Wyatt, Zook, Mr. Speaker.

Total 78

Noes: Aafedt, Wallin.

Total 2

Excused: Bachini, Bradley, Campbell, Daily, DeMars, Elliott, Ellison, Guthrie, Keller, Lee, Pavlovich, Spaeth, Stang, Steppler, Westlake.

Total 15

Absent or not voting: Bardanouve, Cobb, McCormick, O'Connell, Russell.

Total 5

SB 27 - Representative Thomas moved SB 27 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Boharski, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, Driscoll, Eudaily, Gervais, Glaser, Good, Gould, Grady, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Whalen, Zook, Mr. Speaker.

Total 75

Noes: Giacometto, Gilbert, Hannah, Wyatt.

Total 4

Excused: Bachini, Bradley, Campbell, Daily, DeMars, Elliott, Ellison, Guthrie, Keller, Lee, Pavlovich, Spaeth, Stang, Stepler, Westlake.

Total 15

Absent or not voting: Bardanouve, Blotkamp, Cobb, Grinde, McCormick, O'Connell.

Total 6

SB 39 - Representative Harper moved consideration of SB 39 be passed for the day. Motion carried.

SB 41 - Representative Hayne moved SB 41 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, Driscoll, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Grinde, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 77

Noes: Cobb, Gilbert, Hannah.

Total 3

Excused: Bachini, Bradley, Campbell, Daily, DeMars, Elliott, Ellison, Guthrie, Keller, Lee, Pavlovich, Spaeth, Stang, Stepler, Westlake.

Total 15

Absent or not voting: Bardanouve, Kadas, McCormick, Menahan, Peterson.

Total 5

SB 51 - Representative Driscoll moved SB 51, third reading copy, be amended as follows:

1. Amend House Committee on Taxation amendment dated March 1, 1989, as follows:

Strike: amendments 1 and 2 in their entirety

2. Amend Senate Bill 51 to read as follows:

Page 6, line 15.

Following: "prior to"

Strike: "February"

Following: "15"

Strike: "28"

Insert: "January 31"

Amendment passed as follows:

Ayes: Aafedt, Addy, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, Driscoll, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 80

Noes: None.

Total 0

Excused: Bachini, Bradley, Campbell, Daily, DeMars, Elliott, Ellison, Guthrie, Keller, Lee, Pavlovich, Spaeth, Stang, Stepler, Westlake.

Total 15

Absent or not voting: Bardanouve, Blotkamp, McCormick, Menahan, Rice.

Total 5

Representative Driscoll moved SB 51, as amended, be concurred in.
Motion carried as follows:

Ayes: Aafedt, Addy, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, Driscoll, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Whalen, Wyatt, Zook, Mr. Speaker.

Total 80

Noes: Wallin.

Total 1

Excused: Bachini, Bradley, Campbell, Daily, DeMars, Elliott, Ellison, Guthrie, Keller, Lee, Pavlovich, Spaeth, Stang, Stepler, Westlake.

Total 15

Absent or not voting: Bardanouve, Blotkamp, Kadas, Marks.

Total 4

SB 52 - Representative Harper moved consideration of SB 52 be passed for the day. Motion carried.

SB 71 - Representative Good moved SB 71 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Boharski, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, Driscoll, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Whalen, Zook, Mr. Speaker.

Total 79

Noes: Wyatt.

Total 1

Excused: Bachini, Bradley, Campbell, Daily, DeMars, Elliott, Ellison, Guthrie, Keller, Lee, Pavlovich, Spaeth, Stang, Stepler, Westlake.

Total 15

Absent or not voting: Bardanouve, Blotkamp, D. Brown, Patterson, Ramirez.

Total 5

SB 77 - Representative Gould moved SB 77, third reading copy, be amended.

Representative Gould made a substitute motion to pass SB 77 to the bottom of the second reading board. Motion carried.

SB 120 - Representative Boharski moved SB 120 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bardanouve, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, Driscoll, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knapp, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 81

Noes: Gervais.

Total 1

Excused: Bachini, Bradley, Campbell, Daily, DeMars, Elliott, Ellison, Guthrie, Keller, Lee, Pavlovich, Spaeth, Stang, Stepler, Westlake.

Total 15

Absent or not voting: Blotkamp, Good, Koehnke.

Total 3

SB 135 - Representative Mercer moved SB 135 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bardanouve, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Darko, Davis, DeBruycker, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grinde, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knapp, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Peck, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Wyatt, Zook, Mr. Speaker.
Total 74

Noes: Cohen, Driscoll, Patterson, Peterson, Whalen.
Total 5

Excused: Bachini, Bradley, Campbell, Daily, DeMars, Elliott, Ellison, Guthrie, Keller, Lee, Pavlovich, Spaeth, Stang, Stepler, Westlake.
Total 15

Absent or not voting: Blotkamp, Good, Grady, Hannah, Koehnke, O'Connell.
Total 6

SB 140 - Representative Mercer moved SB 140 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bardanouve, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Darko, Davis, DeBruycker, Driscoll, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.
Total 81

Noes: None.
Total 0

Excused: Bachini, Bradley, Campbell, Daily, DeMars, Elliott, Ellison, Guthrie, Keller, Lee, Pavlovich, Spaeth, Stang, Stepler, Westlake.
Total 15

Absent or not voting: Blotkamp, Cohen, Good, Grady.
Total 4

SB 141 - Representative Simon moved consideration of SB 141 be passed for the day. Motion carried.

SB 153 - Representative O'Keefe moved SB 153 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bardanouve, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, Driscoll, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer,

Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 82

Noes: Cody, Patterson.

Total 2

Excused: Bachini, Bradley, Campbell, Daily, DeMars, Elliott, Ellison, Guthrie, Keller, Lee, Pavlovich, Spaeth, Stang, Stepler, Westlake.

Total 15

Absent or not voting: Blotkamp.

Total 1

SB 161 - Representative Owens moved SB 161 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bardanouve, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, Driscoll, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 84

Noes: None.

Total 0

Excused: Bachini, Bradley, Campbell, Daily, DeMars, Elliott, Ellison, Guthrie, Keller, Lee, Pavlovich, Spaeth, Stang, Stepler, Westlake.

Total 15

Absent or not voting: Blotkamp.

Total 1

SB 175 - Representative Swysgood moved consideration of SB 175 be passed for the day. Motion carried.

SB 204 - Representative D. Brown moved consideration of SB 204 be passed for the day. Motion carried.

SB 221 - Representative Schye moved consideration of SB 221 be passed for the day. Motion carried.

SB 236 - Representative Swift moved SB 236 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, Driscoll, Gervais, Giacometto, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knapp, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peterson, Phillips, Quilici,

Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stickney, Strizich, Swift, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 76

Noes: Eudaily, Gilbert, Good, Grinde, Koehnke, T. Nelson, Peck, Swysgood, Thoft.

Total 9

Excused: Bachini, Bradley, Campbell, Daily, DeMars, Elliott, Ellison, Guthrie, Keller, Lee, Pavlovich, Spaeth, Stang, Stepler, Westlake.

Total 15

Absent or not voting: None.

Total 0

SB 365 - Representative Swysgood moved consideration of SB 365 be passed for the day. Motion carried.

SB 366 - Representative Swysgood moved consideration of SB 366 be passed for the day. Motion carried.

SB 391 - Representative Thoft moved SB 391 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, Driscoll, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 84

Noes: None.

Total 0

Excused: Bachini, Bradley, Campbell, Daily, DeMars, Elliott, Ellison, Guthrie, Keller, Lee, Pavlovich, Spaeth, Stang, Stepler, Westlake.

Total 15

Absent or not voting: Grinde.

Total 1

SB 457 - Representative Iverson moved SB 457 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, Driscoll, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 83

Noes: None.

Total 0

Excused: Bachini, Bradley, Campbell, Daily, DeMars, Elliott, Ellison, Guthrie, Keller, Lee, Pavlovich, Spaeth, Stang, Stepler, Westlake.

Total 15

Absent or not voting: Iverson, Squires.

Total 2

SJR 7 - Representative J. Brown moved SJR 7 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, Driscoll, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Wyatt, Zook, Mr. Speaker.

Total 84

Noes: None.

Total 0

Excused: Bachini, Bradley, Campbell, Daily, DeMars, Elliott, Ellison, Guthrie, Keller, Lee, Pavlovich, Spaeth, Stang, Stepler, Westlake.

Total 15

Absent or not voting: Whalen.

Total 1

SB 77 - Representative Gould moved SB 77, third reading copy, be amended. Amendment failed. (27-55)

Representative Hansen moved SB 77 be concurred in. Motion failed as follows:

Ayes: Addy, Bardanouve, Blotkamp, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Darko, Giacometto, Grady, Hansen, Harper, Harrington, Hoffman, Kadas, Kilpatrick, Kimberley, Koehnke, McCormick, McDonough, Menahan, L. Nelson, Nisbet, O'Keefe, Peck, Quilici, Raney, Ream, Russell, Schye, Simpkins, Squires, Stickney, Strizich, Wyatt, Mr. Speaker.

Total 39

Noes: Aafedt, Boharski, Clark, Cobb, Compton, Davis, DeBruycker, Driscoll, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hanson, Hayne, Iverson, Johnson, Kasten, Knapp, Marks, Mercer, Moore, R. Nelson, T. Nelson, Owens, Patterson, Peterson, Phillips, Ramirez, Rehberg, Rice, Roth, Simon, Smith, Spring, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Zook.

Total 47

Paired: Grady, O'Keefe, Ayes; Guthrie, Westlake, Noes.

Excused: Bachini, Bradley, Campbell, Daily, DeMars, Elliott, Ellison, Keller, Lee, Pavlovich, Spaeth, Stang, Steppler.

Total 13

Absent or not voting: O'Connell.

Total 1

Representative Harper moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Harrington moved the adoption of the committee report. Report adopted. (81-3)

MOTIONS

Representative Clark moved the rules be suspended to allow for the late drafting and introduction of a joint resolution. Motion carried.

Representative L. Nelson moved she be allowed to change her vote on HB 508, third reading, from yes to no. Motion carried.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

3/4/89

Correctly enrolled: HB 90, HB 94, HB 110, HB 180, HB 196.

Examined by the sponsors and found to be correct:

HB 90 - Eudaily

HB 94 - Gilbert

HB 110 - Eudaily

HB 180 - Hannah

HB 196 - Cobb

Signed by the Speaker at 9:25 a.m., 3/4/89: HB 90, HB 94, HB 110, HB 180, HB 196.

EDUCATION AND CULTURAL RESOURCES (Schye, Chairman): 3/4/89

SJR 6, third reading copy, be amended as follows:

1. Page 3, line 1.

Following: "~~and~~"

Insert: "that the centers be granted the authority to award appropriate degrees for completion of 2-year programs and"

2. Page 3, lines 16 through 18.

Following: "SYSTEM," on line 16

Strike: remainder of line 16 through "AREAS" on line 18

Insert: "for the award of appropriate degrees to students who have successfully completed 2-year vocational-technical programs"

And, as amended, be concurred in. Report adopted.

HUMAN SERVICES AND AGING (Hansen, Chairman):

3/4/89

SB 124, be concurred in. Report adopted.

SB 340, third reading copy, be amended as follows:

1. Page 1.

Following: line 16

Insert:

"STATEMENT OF INTENT

It is the legislature's intent to exclude acute care hospitals from certificate of need requirements, except in certain limited circumstances that are enumerated in subsections 50-5-301 (1)(h) and 50-5-301 (1)(i). The provision by a hospital of services under either of those

subsections is intended to include construction, conversion, or expansion of bed capacity."

And, as amended, be concurred in. Report adopted.

NATURAL RESOURCES (Raney, Chairman):

3/4/89

SB 3, be concurred in. Report adopted.

SB 29, be concurred in. Report adopted.

SB 243, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:

3/4/89

HB 5, introduced by Eudaily

HB 219, introduced by Harper

HB 314, introduced by R. Nelson

HB 331, introduced by Harper

HB 334, introduced by Connelly

HB 381, introduced by Menahan

HB 531, introduced by Clark

House bill concurred in as amended and returned to the House for concurrence in Senate amendments:

3/4/89

HB 262, introduced by Hoffman

House bill indefinitely postponed and returned to the House:

3/4/89

HB 231, introduced by D. Brown

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Speaker Vincent introduced this week's pages:

Mikah Barnett, Ronan

Starla Callen, Sidney

Jay Driscoll, Billings

Jim Driscoll, Billings

Julie Holland, Great Falls

Sadie Honey, Darby

Hallie Lauffer, Valier

Ejvind Mouritsen, Farov Islands, Scotland

Michelle Myskewitz, Havre

Elizabeth Weick, Great Falls

Representative Harper moved the House adjourn until 12:00 noon, Monday, March 6, 1989.

Motion carried.

House adjourned at 2:20 p.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

FIFTY-SECOND LEGISLATIVE DAY

Helena, Montana
March 6, 1989

House Chambers
State Capitol

House convened at 12:00 noon, Speaker Pro Tempore Addy in the Chair. Invocation by Representative Hansen. Pledge of Allegiance to the Flag.

Roll call. All members present except Bradley, Pavlovich, and Spaeth, excused. Quorum present.

SPECIAL ORDERS OF THE DAY

After being presented to the members of the House by Speaker Pro Tempore Addy, Senator Max Baucus was escorted to the rostrum by Representatives McDonough and Rice and gave the following address:

Thanks for taking a few minutes out of your schedules. I know it's a tough time to listen to a speech.

A few weeks ago, I asked Conrad Burns to sit down for a little heart-to-heart talk. I didn't mince any words. I told him some Senators from the same state get along. They work together. It doesn't seem to matter whether they're in the same political party or not.

I mentioned Republicans Jim McClure and Steve Symms of Idaho — Democrats Quentin Burdick and Kent Conrad of North Dakota — and Democrat George Mitchell and Republican Bill Cohen of Maine.

Others don't get along. They spend more time working against each other than they spend working for their state.

Here, at the beginning of the new Congress, I reminded Conrad that he and I had an opportunity. It's a lot easier to get started on the right foot than it is to go back and fix things later.

In any case, I said that we should know, up front, where we stand. We can work together. Or we can duke it out. I suggested to him that it's better that we work together. Better for us. And better for Montana.

Well, you know Conrad. He's honest and unvarnished. He listened. And he answered the way any Montanan would. "Absolutely," he said. "We'll work together."

Don't get me wrong. I didn't vote for Conrad, and he probably won't volunteer to be my campaign manager. We'll disagree over some of those issues that make the top of the NBC, ABC or CBS evening news — like whether John Tower should be confirmed as Secretary of Defense.

But when it comes to Montana issues, that's different. That's when we work together.

Let's face it. We're a small state. We're far away from the Washington bureaucrats who would eliminate the Essential Air Service program, move the FBI office from Butte, or close the veterans' hospital in Miles City.

In most cases, they don't understand Montana's problems. In some cases, they don't really care. It was true during the Carter Administration. It was true during the Reagan Administration. And it will be true during every administration to come — that is, unless we elect Francis Bardanoue President. Until that enlightened day, we've got to circle the wagons. Stick together. And speak with a single, loud voice.

It's why I've revived the monthly Montana Congressional delegation breakfasts that Mike Mansfield began 40 years ago. It goes on our schedules automatically. The first Wednesday of each month, at eight o'clock. Conrad, Pat, Ron, and myself. Nobody else. It's just an hour-long breakfast. But it's also a way to communicate. To work together.

We're a good team, too. We each have different strengths. Pat and I have good ties to the congressional leadership. Conrad and Ron have good ties to the Administration.

We have complementary committee assignments that cover taxes, trade, agriculture, transportation, public lands, education, energy, telecommunications, health, social security, water, small business, tourism, the environment, and public works.

That just about covers it all. Separately, each of us is just one member of a 535-member Congress. Together, we can be dynamite.

A good example is when the Administration tried to slash the Essential Air Service program a few months ago. Havre, Glasgow, Glendive, Sidney, Lewistown, West Yellowstone, Miles City, and Wolf Point all would have lost an economic lifeline.

I called Sam Skinner, the very day he was nominated as the new Secretary of Transportation. He's from downtown Chicago. He hadn't even HEARD of the Essential Air Service program. I explained it to him and said that if he didn't withdraw the regulations, I would stop his nomination.

He said, "Thank you for telling me that." He got the message.

We then organized a group of about 20 Senators who also pledged they'd oppose Skinner's nomination unless he withdrew the regulations. It didn't stop there.

Conrad serves on the Commerce Committee, which oversees airline regulation. When Sam Skinner came up to testify, then Conrad gave him an earful, as only Conrad can. Ron and Pat organized support on the House side, making sure that the key chairmen understood the relationship between air service and jobs.

The regulations were withdrawn. We won a battle for Montana.

I'd like to tell you that Max Baucus won the battle single-handedly. But that's not the case. It was constant pressure, from every conceivable angle, from the entire delegation.

THAT's what it takes. And it's not just Pat, Ron, Conrad, and I who must work together. It's Stan Stephens. It's Mike Cooney and other state-wide elected officials. It's John Vincent, Hal Harper, and Jack Ramirez. It's Jack Galt, Delwyn Gage, and Bill Norman. It's all of us.

And we all have a single, simple, overriding objective. You hear about it every day. I hear about it every day. And I see it every morning when I sit down and open the mail from home. Again, and again, and again. What is it?

Jobs for Montanans. Jobs for our kids. Jobs to pay the bills. Jobs to pay for a vacation. Jobs to pay for a new car, or maybe even a new house. Jobs you can build a future on.

Jobs in timber, agriculture, mining, outfitting, and tourism. Jobs at Malmstrom. Jobs in our growing high-tech industry. Jobs in banking and

insurance. Yes, even government jobs, like the ones in the FBI office in Butte.

And it's our job in the Congressional delegation to make that happen — To crack foreign markets for our beef, wheat, and timber — To fight unfair imports like the Canadian subsidies that could have closed the East Helena smelter — To keep federal taxes low for our key industries, by repealing harebrained ideas like the heifer tax — To expand Customs Service in Roosville and along the Hi-Line, so that we can do more business with Canadians — To seek a national Forest Service roadless areas agreement that balances development, recreation, and conservation — To improve our agriculture programs so that we can sell more beef, wheat, and barley overseas — To improve air service and telecommunications. These are the highways and railroads of the 21st Century, and we've got to have the best — To keep our small hospitals open, because they anchor the economies of communities like Dillon, Malta, and Big Timber — And to fight for Montana's fair share of every single federal program that exists. From MHD, to the Missoula radar station, to the wonderful possibilities at the McLaughlin Institute in Great Falls.

We each have our own roles. Sometimes we must do our work independently. Ron, Pat, Conrad and I are working with the federal government. You, of course, are handling our state tax structure and education programs. More often, though, we have to pitch in together — especially when it comes to attracting new industries.

No chief executive officer is going to move his company to a state that doesn't have its act together. It's critical that we present a united front — just as we did two years ago, when U.S. West was deciding where to locate its new research facility.

We didn't get that project for Bozeman. But we gave it a good shot. We made a great impression. And I'm confident that it will pay off in a better Montana telecommunications industry.

We're seeing it again with the Anheuser-Busch malting plant. Almost one month ago, Anheuser-Busch was ready to break ground in Idaho Falls. Then we all got involved. I called Anheuser-Busch. The Governor called Anheuser-Busch. Ron and Conrad called. BN, Montana Rail Link, and Montana agreed to cut their rates. YOU began considering targeted tax relief. And we're back in the running.

Tomorrow, I'm going to meet with Auggie Busch in my office in Washington. I'm going to put it to him straight. Montanans are ready, willing, and able. We won't just meet the competition. We'll BEAT it. And that isn't just true for Anheuser-Busch. It's true across the board.

Montana is ready to look the future square in the eye. We have the resources in our minerals, our agriculture, our timberlands, and our natural beauty. And we have the greatest resource of all — our people.

A few weeks ago I toured the United Tote plant down by Shepherd. They make 20% of all the computerized racetrack equipment nationwide. If you ask UT's president, Lloyd Shelhammer, why he's in Montana, although most of his sales are in the southwest. His answer is simple: Montanans are the best people he can hire, train, and then send anywhere in the world.

You and I know exactly what he means. It happens every day, all across Montana. Companies like Ribic Immunochem in Hamilton, Montana Silversmiths at Columbus, and Woods Power Grip in Wolf Point are

leaders. They market their products internationally, and they beat the competition.

I don't have to tell you that Washington, D.C. can be a crazy place. Those of us who work there are besieged by lobbyists and others who love to tell us how great we are. If you don't watch out, you're tempted to start believing some of that stuff.

That's why I really appreciate the time I get to spend here at home — especially my work days. They're one of the best ways I know to clear out my head and recharge my batteries.

One day a month I work at a different job. I put in a full shift, working next to the men and women who are the foundation of our state.

One day I worked as an edger at the Champion plant in Libby, sorting out the edgings at the stud mill. I'll never forget the smile on one fellow's face when I walked into the lunchroom, drenched with sweat. He looked straight at me and said, "Looks like you've been working." My arms were sore for a week.

Another day I worked the potlines at Columbia Falls Aluminum with a couple of guys. One had been there 22 years. I have a healthy respect for those fellows.

One cold winter day I worked the Montana Tunnels Gold Mine, punching out clogged holes in the ore regrinder.

Last month I worked as a home health care assistant in Helena, helping take care of people who are struggling to keep their lives together, including feeding a man stricken with Alzheimer's Disease.

These are the people that you and I work for! They're demanding bosses. But they're fair. They're not big on politics, but they're big on us getting the job done. Let's go to work. We're not going to agree about everything. And we're not going to make political campaigns irrelevant.

But I extend my hand. We are hitched to the same wagon. It's called Montana. Let's put our shoulders down and pull together.

Thank you.

Senator Baucus then retired from the House chamber.

Representatives Giacometto and Gilbert excused at this time.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

3/6/89

Correctly printed: SJR 6.

Correctly engrossed: HB 618, HB 723, SB 17, SB 51.

Delivered to the Governor for his approval at 11:45 a.m., 3/6/89: HB 90, HB 94, HB 110, HB 180, HB 196.

MOTIONS

Representative Bradley present at this time.

Representative Simpkins moved the House reconsider its action on SB 77 taken on second reading the previous legislative day. Motion carried. (53-43)

Representative Keller moved SB 43 be taken from the third reading board this legislative day and rereferred to the second reading board this legislative day for the purpose of amendment. Motion carried. (81-12)

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative R. Nelson in the Chair.

Speaker Pro Tempore: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 340 - Representative Lee moved HB 340 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Glaser, Good, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Steppler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 85

Noes: D. Brown, Campbell, Cobb, Gould, Grinde, Harrington, O'Keefe, Patterson, Stang, Swysgood.

Total 10

Excused: Giacometto, Gilbert, Pavlovich, Spaeth.

Total 4

Absent or not voting: DeBruycker.

Total 1

HB 525 - Representative Swysgood moved consideration of HB 525 be passed for the day. Motion carried.

HB 62 - Representative Hanson moved Senate amendments to HB 62 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.

Total 88

Noes: Campbell, Cobb, Kadas, O'Keefe, Steppler, Swysgood.

Total 6

Excused: Giacometto, Gilbert, Pavlovich, Spaeth.

Total 4

Absent or not voting: Knapp, Wyatt.

Total 2

HB 262 - Representative Hoffman moved Senate amendments to HB 262 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Giacometto, Gilbert, Pavlovich, Spaeth.

Total 4

Absent or not voting: Peterson, Wyatt.

Total 2

SB 3 - Representative Brooke moved SB 3 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.

Total 92

Noes: Cobb, O'Keefe.

Total 2

Excused: Giacometto, Gilbert, Pavlovich, Spaeth.

Total 4

Absent or not voting: Blotkamp, Wyatt.

Total 2

Representative Gilbert present at this time.

SB 16 - Representative McCormick moved SB 16, third reading copy, be amended as follows:

1. Page 4, lines 11 through 17.

Strike: committee amendment number 1 in its entirety

Amendment passed as follows:

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Ayes: Addy, Bachini, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Gervais, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Schye, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 80

Noes: Aafedt, Boharski, Campbell, DeBruycker, Eudaily, Gilbert, Hannah, Hayne, Owens, Rice, Simon, Simpkins, Smith.
Total 13

Excused: Giacometto, Pavlovich, Spaeth.
Total 3

Absent or not voting: Bardanouve, Clark, Marks, Patterson.
Total 4

Representative Peck excused at this time.

Representative Johnson moved SB 16, as amended, be concurred in.
Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: Campbell, Cobb, DeBruycker, Ellison, Grinde, Guthrie, Hannah.
Total 7

Excused: Giacometto, Pavlovich, Peck, Spaeth.
Total 4

Absent or not voting: None.
Total 0

Representatives Eudaily and Schye excused at this time.

SB 29 - Representative Gilbert moved SB 29 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer,

Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Eudaily, Giacometto, Pavlovich, Peck, Schye, Spaeth.

Total 6

Absent or not voting: None.

Total 0

SB 39 - Representative Elliott moved SB 39 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 86

Noes: Campbell, Cobb, Compton, Gilbert, Iverson, Smith.

Total 6

Excused: Eudaily, Giacometto, Pavlovich, Peck, Schye, Spaeth.

Total 6

Absent or not voting: Hoffman, Kadas.

Total 2

Representative Grady excused at this time.

Representative Spaeth present at this time.

SB 49 - Representative Lee moved SB 49 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: None.
Total 0

Excused: Eudaily, Giacometto, Grady, Pavlovich, Peck, Schye.
Total 6

Absent or not voting: Cobb.
Total 1

Representatives DeBruycker and Zook excused at this time.

SB 52 - Representative Harrington moved SB 52 be concurred in.
Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Gervais, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.
Total 87

Noes: Hannah.
Total 1

Excused: DeBruycker, Eudaily, Giacometto, Grady, Pavlovich, Peck, Schye, Zook.
Total 8

Absent or not voting: D. Brown, Cobb, Ramirez, Smith.
Total 4

Representative Giacometto present at this time.

SB 64 - Representative Mercer moved SB 64 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.
Total 83

Noes: Campbell, Davis, Glaser, Kadas, Patterson, Ramirez, Swysgood.
Total 7

Excused: DeBruycker, Eudaily, Grady, Pavlovich, Peck, Schye, Zook.
Total 7

Absent or not voting: D. Brown, Cobb, Hanson.

Total 3

Representatives Giacometto and Spaeth excused at this time.

SB 69 - Representative Brooke moved SB 69 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Gervais, Gilbert, Gould, Grinde, Guthrie, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Smith, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 80

Noes: Campbell, Clark, Glaser, Knapp, Phillips, Simpkins.

Total 6

Excused: DeBruycker, Eudaily, Giacometto, Grady, Pavlovich, Peck, Schye, Spaeth, Zook.

Total 9

Absent or not voting: Bradley, D. Brown, Good, Hannah, Hanson.

Total 5

SB 115 - Representative Quilici moved consideration of SB 115 be passed for the day. Motion carried.

Representative Giacometto present at this time.

SB 124 - Representative Squires moved SB 124 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Gervais, Glaser, Good, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Marks, McCormick, McDonough, Menahan, Moore, L. Nelson, R. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Squires, Stang, Steppler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Whalen, Wyatt, Mr. Speaker.

Total 70

Noes: Bachini, Campbell, Ellison, Giacometto, Gilbert, Gould, Grinde, Guthrie, Hannah, Kasten, Keller, Knapp, Koehnke, Lee, Mercer, T. Nelson, Peterson, Spring, Swysgood, Westlake.

Total 20

Excused: DeBruycker, Eudaily, Grady, Pavlovich, Peck, Schye, Spaeth, Zook.

Total 8

Absent or not voting: Bardanouve, Blotkamp.

Total 2

SB 141 - Representative Lee moved SB 141 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 90

Noes: None.

Total 0

Excused: DeBruycker, Eudaily, Grady, Pavlovich, Peck, Schye, Spaeth, Zook.

Total 8

Absent or not voting: Blotkamp, Good.

Total 2

Representative Spaeth present at this time.

SB 175 - Representative Campbell moved SB 175 be concurred in.
Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 88

Noes: Hannah, Stepler, Wallin.

Total 3

Excused: DeBruycker, Eudaily, Grady, Pavlovich, Peck, Schye, Zook.

Total 7

Absent or not voting: Bardanouve, Lee.

Total 2

SB 176 - Representative Patterson moved SB 176 be concurred in.
Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson,

Nisbet, O'Connell, O'Keefe, Owens, Patterson, Phillips, Quilici, Ramirez, Raney, Ream, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Mr. Speaker.

Total 85

Noes: Campbell, Cobb, Grinde, Hannah, Rehberg, Swysgood.

Total 6

Excused: DeBruycker, Eudaily, Grady, Pavlovich, Peck, Schye, Zook.

Total 7

Absent or not voting: Peterson, Wyatt.

Total 2

Representative Peck present at this time.

SB 179 - Representative Quilici moved consideration of SB 179 be passed for the day. Motion carried.

SB 204 - Representative Stickney moved SB 204 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: DeBruycker, Eudaily, Grady, Pavlovich, Schye, Zook.

Total 6

Absent or not voting: Kadas.

Total 1

SB 213 - Representative Quilici moved SB 213 be placed at the bottom of the second reading board. Motion carried.

Representatives Smith and Owens excused at this time.

SB 221 - Representative Stepler moved SB 221 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Peck, Peterson,

Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Whalen, Wyatt, Mr. Speaker.
Total 89

Noes: None.
Total 0

Excused: DeBruycker, Eudaily, Grady, Owens, Pavlovich, Schye, Smith, Westlake, Zook.
Total 9

Absent or not voting: Cobb, Grinde.
Total 2

SB 222 - Representative Johnson moved SB 222 be concurred in.
Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardonouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.
Total 89

Noes: None.
Total 0

Excused: DeBruycker, Eudaily, Grady, Owens, Pavlovich, Schye, Smith, Zook.
Total 8

Absent or not voting: D. Brown, Grinde, L. Nelson.
Total 3

SB 233 - Representative Swysgood moved SB 233 be placed at the bottom of the second reading board. Motion carried.

SB 237 - Representative Swysgood moved SB 237 be placed at the bottom of the second reading board. Motion carried.

SB 243 - Representative Kadas moved SB 243 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardonouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Stepler,

Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 91

Noes: None.

Total 0

Excused: DeBruycker, Eudaily, Grady, Owens, Pavlovich, Schye, Smith, Zook.

Total 8

Absent or not voting: Clark.

Total 1

SB 298 - Representative Squires moved SB 298 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Gervais, Giacometto, Glaser, Gould, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 85

Noes: Campbell, Ellison, Gilbert, Good, Hannah, Simpkins.

Total 6

Excused: DeBruycker, Eudaily, Grady, Owens, Pavlovich, Schye, Smith, Zook.

Total 8

Absent or not voting: Swift.

Total 1

SB 304 - Representative Cocchiarella moved SB 304 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Gervais, Giacometto, Gould, Hansen, Hanson, Harper, Harrington, Hayne, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Moore, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Peck, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Simpkins, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 68

Noes: Boharski, Campbell, Clark, Cobb, Compton, Ellison, Gilbert, Glaser, Good, Grinde, Guthrie, Hoffman, Iverson, Kasten, Mercer, L. Nelson, Peterson, Ramirez, Simon, Steppler, Thomas.

Total 21

Excused: DeBruycker, Eudaily, Grady, Owens, Pavlovich, Schye, Smith, Zook.

Total 8

Absent or not voting: Blotkamp, Hannah, Menahan.

Total 3

Representative DeBruycker present at this time.

SB 324 - Representative Campbell moved SB 324 be concurred in.
Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 90

Noes: Cobb, Hannah.

Total 2

Excused: Eudaily, Grady, Owens, Pavlovich, Schye, Smith, Zook.

Total 7

Absent or not voting: Bardanouve.

Total 1

SB 330 - Representative Thomas moved SB 330 be concurred in.
Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Gould, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 86

Noes: Campbell, Cobb, DeBruycker, Hannah, Marks.

Total 5

Excused: Eudaily, Grady, Owens, Pavlovich, Schye, Smith, Zook.

Total 7

Absent or not voting: Good, Kadas.

Total 2

SB 346 - Representative Davis moved SB 346 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott,

Ellison, Gervais, Giacometto, Glaser, Good, Gould, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.
Total 87

Noes: Campbell, Clark, Gilbert, Grinde, T. Nelson.
Total 5

Excused: Eudaily, Grady, Owens, Pavlovich, Schye, Smith, Zook.
Total 7

Absent or not voting: Kadas.
Total 1

SB 365 - Representative Campbell moved SB 365 be concurred in.
Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Peck, Peterson, Phillips, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Westlake, Whalen, Wyatt, Mr. Speaker.
Total 86

Noes: Hannah, Hoffman.
Total 2

Excused: Eudaily, Grady, Owens, Pavlovich, Schye, Smith, Zook.
Total 7

Absent or not voting: Blotkamp, Kadas, Lee, Quilici, Wallin.
Total 5

SB 366 - Representative Campbell moved SB 366 be concurred in.
Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeMars, Driscoll, Elliott, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Peck, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.
Total 84

Noes: Cobb, DeBruycker, Ellison, Hannah, Koehnke, Patterson, Peterson.

Total 7

Excused: Eudaily, Grady, Owens, Pavlovich, Schye, Smith, Zook.

Total 7

Absent or not voting: Daily, Kadas.

Total 2

SB 43 - Representative Keller moved SB 43, reference bill, be amended as follows:

1. Page 3, lines 22 through 24.

Following: "is" on line 22

Strike: "10%" on line 22 through "\$200₂" on line 24

Insert: "\$60"

2. Page 4, lines 3 through 6.

Following: "applicant."

Strike: "An itinerant" on line 3 through "\$50." on line 6

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, O'Connell, O'Keefe, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Stepler, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 87

Noes: Cody, DeMars, Kilpatrick, Nisbet.

Total 4

Excused: Eudaily, Grady, Owens, Pavlovich, Schye, Smith, Zook.

Total 7

Absent or not voting: Kadas, Stickney.

Total 2

Representative Keller moved SB 43, as amended, be concurred in.
Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Good, Gould, Grinde, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Peck, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 83

Noes: Campbell, Clark, Cobb, Daily, Glaser, Guthrie, Hanson, Kilpatrick, Peterson, Phillips.

Total 10

Excused: Eudaily, Grady, Owens, Pavlovich, Schye, Smith, Zook.

Total 7

Absent or not voting: None.

Total 0

SB 213 - Representative Westlake moved SB 213 be concurred in.
Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Eudaily, Grady, Owens, Pavlovich, Schye, Smith, Zook.

Total 7

Absent or not voting: Kadas.

Total 1

Representative Harper moved the committee rise and report. Motion carried. Committee arose. House resumed. Speaker Pro Tempore Addy in the Chair. Chairman R. Nelson moved the adoption of the committee report. Report adopted. (88-2)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 182, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 90

Noes: Campbell, Giacometto.

Total 2

Excused: Eudaily, Grady, Owens, Pavlovich, Schye, Smith, Zook.
Total 7

Absent or not voting: Marks.
Total 1

HB 166 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.
Total 92

Noes: None.
Total 0

Excused: Eudaily, Grady, Owens, Pavlovich, Schye, Smith, Zook.
Total 7

Absent or not voting: Marks.
Total 1

HB 564 passed as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Gervais, Glaser, Good, Gould, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Simpkins, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.
Total 78

Noes: Boharski, Campbell, Ellison, Giacometto, Gilbert, Grinde, Guthrie, Hannah, Iverson, Kasten, Lee, T. Nelson, Rice, Simon.
Total 14

Excused: Eudaily, Grady, Owens, Pavlovich, Schye, Smith, Zook.
Total 7

Absent or not voting: Addy.
Total 1

HB 607 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne,

Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Eudaily, Grady, Owens, Pavlovich, Schye, Smith, Zook.

Total 7

Absent or not voting: None.

Total 0

HB 744 passed as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Eudaily, Grady, Owens, Pavlovich, Schye, Smith, Zook.

Total 7

Absent or not voting: Addy.

Total 1

SB 11 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Eudaily, Grady, Owens, Pavlovich, Schye, Smith, Zook.
Total 7

Absent or not voting: None.
Total 0

SB 12 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Mr. Speaker.
Total 90

Noes: Whalen.
Total 1

Excused: Eudaily, Grady, Owens, Pavlovich, Schye, Smith, Zook.
Total 7

Absent or not voting: Lee, Mercer.
Total 2

SB 26 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.
Total 91

Noes: Cobb, O'Keefe.
Total 2

Excused: Eudaily, Grady, Owens, Pavlovich, Schye, Smith, Zook.
Total 7

Absent or not voting: None.
Total 0

SB 27 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Hansen,

Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 87

Noes: Cobb, Grinde, Guthrie, Hannah, Koehnke, Peck.

Total 6

Excused: Eudaily, Grady, Owens, Pavlovich, Schye, Smith, Zook.

Total 7

Absent or not voting: None.

Total 0

SB 30 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Eudaily, Grady, Owens, Pavlovich, Schye, Smith, Zook.

Total 7

Absent or not voting: None.

Total 0

SB 31 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Eudaily, Grady, Owens, Pavlovich, Schye, Smith, Zook.

Total 7

Absent or not voting: None.

Total 0

SB 36 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Gervais, Glaser, Gould, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 83

Noes: Cobb, Giacometto, Gilbert, Good, Grinde, Guthrie, Hannah, Swysgood.

Total 8

Excused: Eudaily, Grady, Owens, Pavlovich, Schye, Smith, Zook.

Total 7

Absent or not voting: Driscoll, Mercer.

Total 2

SB 37 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 86

Noes: Giacometto, Hannah, Hoffman, Patterson, Roth, Swift.

Total 6

Excused: Eudaily, Grady, Owens, Pavlovich, Schye, Smith, Zook.

Total 7

Absent or not voting: Phillips.

Total 1

SB 38 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Gould, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson,

Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 90

Noes: Good, Grinde.

Total 2

Excused: Eudaily, Grady, Owens, Pavlovich, Schye, Smith, Zook.

Total 7

Absent or not voting: Cobb.

Total 1

SB 40 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Mr. Speaker.

Total 84

Noes: Campbell, Clark, Kasten, Koehnke, Peck, Peterson, Phillips, Swysgood, Wyatt.

Total 9

Excused: Eudaily, Grady, Owens, Pavlovich, Schye, Smith, Zook.

Total 7

Absent or not voting: None.

Total 0

SB 41 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 89

Noes: Campbell, Clark, Grinde, Hannah.

Total 4

Excused: Eudaily, Grady, Owens, Pavlovich, Schye, Smith, Zook.
Total 7

Absent or not voting: None.
Total 0

SB 46 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Spaeth, Spring, Squires, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.
Total 88

Noes: Koehnke, Peck, Stang.
Total 3

Excused: Eudaily, Grady, Owens, Pavlovich, Schye, Smith, Zook.
Total 7

Absent or not voting: Hayne, T. Nelson.
Total 2

SB 53 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.
Total 93

Noes: None.
Total 0

Excused: Eudaily, Grady, Owens, Pavlovich, Schye, Smith, Zook.
Total 7

Absent or not voting: None.
Total 0

SB 57 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Good, Gould,

Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simpkins, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 92

Noes: Simon.

Total 1

Excused: Eudaily, Grady, Owens, Pavlovich, Schye, Smith, Zook.

Total 7

Absent or not voting: None.

Total 0

SB 63 concurred in as follows:

Ayes: Aafedt, Addy, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, Driscoll, Elliott, Gervais, Giacometto, Glaser, Gould, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 80

Noes: Bachini, Campbell, DeBruycker, DeMars, Ellison, Gilbert, Good, Grinde, Kasten, Koehnke, Patterson, Peck, Thomas.

Total 13

Excused: Eudaily, Grady, Owens, Pavlovich, Schye, Smith, Zook.

Total 7

Absent or not voting: None.

Total 0

SB 66 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Glaser, Good, Gould, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, Nisbet, O'Keefe, Patterson, Peck, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 81

Noes: Campbell, Clark, Giacometto, Gilbert, Grinde, Guthrie, Hannah, Hayne, Koehnke, T. Nelson, Peterson.

Total 11

Excused: Eudaily, Grady, Owens, Pavlovich, Schye, Smith, Zook.

Total 7

Absent or not voting: O'Connell.

Total 1

SB 71 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Eudaily, Grady, Owens, Pavlovich, Schye, Smith, Zook.

Total 7

Absent or not voting: Marks.

Total 1

SB 72 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Ellison, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, O'Connell, Patterson, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 84

Noes: Cody, Elliott, Grinde, Kadas, Nisbet, O'Keefe, Peck, Russell.

Total 8

Excused: Eudaily, Grady, Owens, Pavlovich, Schye, Smith, Zook.

Total 7

Absent or not voting: Cocchiarella.

Total 1

SB 74 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott,

Gervais, Giacometto, Glaser, Good, Gould, Hannah, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 82

Noes: Campbell, Clark, Cobb, Gilbert, Grinde, Guthrie, Hayne, Kasten, Spring, Swift.

Total 10

Excused: Eudaily, Grady, Owens, Pavlovich, Schye, Smith, Zook.

Total 7

Absent or not voting: Ellison.

Total 1

SB 76 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Gould, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 91

Noes: Good, Hannah.

Total 2

Excused: Eudaily, Grady, Owens, Pavlovich, Schye, Smith, Zook.

Total 7

Absent or not voting: None.

Total 0

Representative Owens present at this time.

SB 89 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 92

Noes: Good.

Total 1

Excused: Eudaily, Grady, Pavlovich, Schye, Smith, Zook.

Total 6

Absent or not voting: Blotkamp.

Total 1

SB 90 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 91

Noes: None.

Total 0

Excused: Eudaily, Grady, Pavlovich, Schye, Smith, Zook.

Total 6

Absent or not voting: Connelly, Hayne, Rice.

Total 3

Representative Smith present at this time.

SB 120 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Eudaily, Grady, Pavlovich, Schye, Zook.

Total 5

Absent or not voting: McCormick.

Total 1

SB 123 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Eudaily, Grady, Pavlovich, Schye, Zook.

Total 5

Absent or not voting: Hayne, Roth.

Total 2

SB 125 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 93

Noes: Campbell.

Total 1

Excused: Eudaily, Grady, Pavlovich, Schye, Zook.

Total 5

Absent or not voting: Menahan.

Total 1

SB 135 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice,

Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 91

Noes: Bardanouve, Cohen, Peterson.

Total 3

Excused: Eudaily, Grady, Pavlovich, Schye, Zook.

Total 5

Absent or not voting: Strizich.

Total 1

SB 140 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 91

Noes: Gilbert.

Total 1

Excused: Eudaily, Grady, Pavlovich, Schye, Zook.

Total 5

Absent or not voting: Cohen, T. Nelson, Peck.

Total 3

SB 150 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Whalen, Wyatt, Mr. Speaker.

Total 87

Noes: Campbell, Cohen, DeMars, Guthrie, Koehnke, Peck, Peterson, Westlake.

Total 8

Excused: Eudaily, Grady, Pavlovich, Schye, Zook.

Total 5

Absent or not voting: None.

Total 0

SB 153 concurred in as follows:

Ayes: Aafedt, Addy, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Gervais, Giacometto, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.
Total 88

Noes: Bachini, Cody, Ellison, Gilbert, Owens, Patterson, Peck.
Total 7

Excused: Eudaily, Grady, Pavlovich, Schye, Zook.
Total 5

Absent or not voting: None.
Total 0

SB 154 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Mr. Speaker.
Total 92

Noes: DeBruycker, Kadas, Wyatt.
Total 3

Excused: Eudaily, Grady, Pavlovich, Schye, Zook.
Total 5

Absent or not voting: None.
Total 0

SB 161 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream,

Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 94

Noes: Campbell.

Total 1

Excused: Eudaily, Grady, Pavlovich, Schye, Zook.

Total 5

Absent or not voting: None.

Total 0

SB 170 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 91

Noes: Cobb, Grinde.

Total 2

Excused: Eudaily, Grady, Pavlovich, Schye, Zook.

Total 5

Absent or not voting: Guthrie, Owens.

Total 2

SB 177 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Giacometto, Gilbert, Good, Gould, Hansen, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Moore, L. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Wallin, Westlake, Wyatt, Mr. Speaker.

Total 71

Noes: Campbell, Clark, DeBruycker, Gervais, Glaser, Grinde, Guthrie, Hannah, Hanson, Hayne, Kasten, Keller, Mercer, R. Nelson, T. Nelson, Patterson, Simpkins, Smith, Spring, Swift, Swysgood, Thoft, Thomas, Whalen.

Total 24

Excused: Eudaily, Grady, Pavlovich, Schye, Zook.

Total 5

Absent or not voting: None.

Total 0

SB 188 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Eudaily, Grady, Pavlovich, Schye, Zook.

Total 5

Absent or not voting: None.

Total 0

SB 194 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeMars, Elliott, Gervais, Giacometto, Glaser, Good, Gould, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Mr. Speaker.

Total 80

Noes: Bardanouve, Campbell, Clark, Cohen, DeBruycker, Driscoll, Ellison, Gilbert, Hannah, Kasten, L. Nelson, Owens, Simpkins, Stepler, Wyatt.

Total 15

Excused: Eudaily, Grady, Pavlovich, Schye, Zook.

Total 5

Absent or not voting: None.

Total 0

SB 199 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Glaser, Gould, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins,

March 6, 1989

Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 86

Noes: Campbell, Giacometto, Gilbert, Good, Grinde, Hannah, Patterson, Steppler, Swysgood.

Total 9

Excused: Eudaily, Grady, Pavlovich, Schye, Zook.

Total 5

Absent or not voting: None.

Total 0

SB 231 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 93

Noes: Clark, Smith.

Total 2

Excused: Eudaily, Grady, Pavlovich, Schye, Zook.

Total 5

Absent or not voting: None.

Total 0

SB 236 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Glaser, Good, Gould, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 85

Noes: Campbell, Gilbert, Grinde, Guthrie, Kasten, Koehnke, Marks, Peck, Swysgood, Thoft.

Total 10

Excused: Eudaily, Grady, Pavlovich, Schye, Zook.

Total 5

Absent or not voting: None.

Total 0

SB 281 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Eudaily, Grady, Pavlovich, Schye, Zook.

Total 5

Absent or not voting: None.

Total 0

SB 391 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Eudaily, Grady, Pavlovich, Schye, Zook.

Total 5

Absent or not voting: None.

Total 0

SB 457 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe,

Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.
Total 94

Noes: None.
Total 0

Excused: Eudaily, Grady, Pavlovich, Schye, Zook.
Total 5

Absent or not voting: Spaeth.
Total 1

SJR 7 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.
Total 94

Noes: None.
Total 0

Excused: Eudaily, Grady, Pavlovich, Schye, Zook.
Total 5

Absent or not voting: Hayne.
Total 1

SJR 8 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Glaser, Good, Gould, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.
Total 93

Noes: Gilbert, Grinde.
Total 2

Excused: Eudaily, Grady, Pavlovich, Schye, Zook.
Total 5

Absent or not voting: None.

Total 0

SJR 11 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Eudaily, Grady, Pavlovich, Schye, Zook.

Total 5

Absent or not voting: None.

Total 0

Representatives Giacometto and Spaeth excused at this time.

Representative Eudaily present at this time.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

3/6/89

Correctly enrolled: HB 123.

Examined by the sponsor and found to be correct:

HB 123 - Spaeth

Signed by the Speaker at 1:10 p.m., 3/6/89: HB 123.

BUSINESS AND ECONOMIC DEVELOPMENT (Pavlovich, Chairman):

3/6/89

SB 229, third reading copy, be amended as follows:

1. Page 2, line 8.

Strike: "\$50,000"

Insert: "\$10,000"

And, as amended, be concurred in. Report adopted.

SB 280, be concurred in. Report adopted.

SB 364, be concurred in. Report adopted.

JUDICIARY (D. Brown, Chairman):

3/6/89

SB 122, third reading copy, be amended as follows:

1. Title, line 6.

Following: "AN"

Insert: "IMMEDIATE EFFECTIVE DATE AND A RETRO-ACTIVE"

2. Page 3, line 6.

Insert: "NEW SECTION. Section 2. Effective date. [This act] is effective on passage and approval."

Renumber: subsequent section

3. Page 3, line 7.

Following: "applies"

Insert: ":(1) retroactively, within the meaning of 1-2-109, to offenses that occurred before [the effective date of this act] and for which the statute of limitations has not expired on [the effective date of this act]; and

(2)"

And, as amended, be concurred in. Report adopted.

SB 157, be concurred in. Report adopted.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved the House adjourn until 1:30 p.m., Tuesday, March 7, 1989.

Motion carried.

House adjourned at 2:30 p.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

FIFTY-THIRD LEGISLATIVE DAY

Helena, Montana
March 7, 1989

House Chambers
State Capitol

House convened at 1:30 p.m., Speaker Pro Tempore Addy in the Chair.
Invocation by Representative Cody. Pledge of Allegiance to the Flag.

Roll call. All members present except Clark, Ellison, Hanson, Hoffman, Kilpatrick, Russell, Thoft, Thomas, and Wallin, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the forty-seventh, forty-eighth, and forty-ninth legislative days, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 3/7/89

Correctly printed: SB 122, SB 229, SB 284.

Correctly engrossed: HB 340, HB 603, HB 622, SB 17, SB 43, SB 51.

Examined by the sponsors and found to be correct:

HB 219 - Harper

HB 314 - R. Nelson

HB 331 - Harper

HB 334 - Connelly

HB 531 - Clark

HJR 8 - D. Brown

Signed by the Speaker at 10:30 a.m., 3/7/89: SB 457.

Delivered to the Governor for his approval at 9:25 a.m., 3/7/89: HB 123.

AGRICULTURE, LIVESTOCK, AND IRRIGATION (Bachini, Chairman):

3/6/89

SB 300, be concurred in. Report adopted.

SB 320, be concurred in. Report adopted.

BUSINESS AND ECONOMIC DEVELOPMENT (Pavlovich, Chairman):

3/7/89

SB 5, be concurred in. Report adopted.

SB 85, be concurred in. Report adopted.

SB 284, third reading copy, be amended as follows:

1. Page 5, line 8.

Following: "prohibited"

Insert: "— exemption"

Following: "."

Insert: "(1)"

2. Page 5, line 17.

Following: line 16

Insert: "(2) The provisions of subsection (1) do not apply to a person who sells no more than five new or used motor vehicles during any year."

And, as amended, be concurred in. Report adopted.

SB 323, be concurred in. Report adopted.

Adverse Committee Report

SB 87, be not concurred in.

EDUCATION AND CULTURAL RESOURCES (Schye, Chairman): 3/7/89

SB 136, third reading copy, be amended as follows:

1. Title, line 6.

Strike: "AND"

Following: "MCA"

Insert: "; AND PROVIDING AN APPLICABILITY DATE"

2. Page 2, line 10.

Strike: "financial exigency"

Insert: "economic conditions of the district"

3. Page 4.

Following: line 17

Insert: "NEW SECTION. Section 5. Applicability. [This act] does not apply to a person who was employed in an administrative position prior to [the effective date of this act]."

And, as amended, be concurred in. Report adopted.

HUMAN SERVICES AND AGING (Hansen, Chairman):

3/7/89

HB 742, introduced bill, be amended as follows:

1. Page 2, lines 11 and 12.

Following: "household" on line 11

Strike: remainder of line 11 through "benefits," on line 12

Following: "households."

Insert: "The amount must be based on a percentage of the federal poverty index. The percentage is established in the state general appropriations act."

2. Page 7, lines 3 and 4.

Following: "household" on line 3

Strike: remainder of line 3 through "benefits," on line 4

Following: "households."

Insert: "The amount must be 150% of the amount established in 53-3-205(2)."

And, as amended, do pass. Report adopted.

SB 146, be concurred in. Report adopted.

SB 147, be concurred in. Report adopted.

SB 181, be concurred in. Report adopted.

SB 189, be concurred in. Report adopted.

JUDICIARY (D. Brown, Chairman):

3/7/89

SB 21, be concurred in. Report adopted.

SB 84, third reading copy, be amended as follows:

1. Page 2, line 1.

Following: "45-5-507"

Insert: "(unless the act occurred between two consenting persons 16 years of age or older)"

2. Page 4, line 2.

Strike: "Liability for noncompliance with"

Insert: "A convicted sexual offender's duty to register under"

3. Page 4, lines 13 through 21.

Strike: "EMPLOYMENT" on line 13 through end of line 21

Insert: "Sentence upon conviction — restriction on employment. A judge sentencing a person upon conviction of a sexual offense shall, as a condition to probation, parole, or deferment or suspension of

sentence, impose upon the defendant reasonable employment or occupational prohibitions and restrictions designed to protect the class or classes of persons containing the likely victims of further offenses by the defendant."

And, as amended, be concurred in. Report adopted.

SB 258, be concurred in. Report adopted.

NATURAL RESOURCES (Raney, Chairman): 3/7/89

HB 750, do pass. Report adopted.

SB 183, be concurred in. Report adopted.

SB 227, be concurred in. Report adopted.

SB 305, third reading copy, be amended as follows:

1. Title, line 9.

Following: "TO"

Insert: "A MINIMUM RENTAL RATE OF A 50% CROP SHARE
AND"

2. Page 2, line 9.

Following: "to"

Insert: "a minimum rental rate of a 50% crop share and"

And, as amended, be concurred in. Report adopted.

STATE ADMINISTRATION (J. Brown, Chairman): 3/7/89

SB 200, be concurred in. Report adopted.

SB 259, be concurred in. Report adopted.

TAXATION (Harrington, Chairman): 3/7/89

SB 118, be concurred in. Report adopted.

Adverse Committee Report

HB 643, do not pass.

Representative Wallin present at this time.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House: 3/6/89

HB 13, introduced by Quilici

HB 27, introduced by Cody

HB 60, introduced by Harrington

HB 80, introduced by Strizich

HB 121, introduced by Wallin

HB 141, introduced by Phillips

HB 154, introduced by Smith

HB 168, introduced by Lee

HB 175, introduced by Hansen

HB 178, introduced by Cody

HB 214, introduced by Smith

HB 226, introduced by Stickney

HB 227, introduced by Harrington

HB 235, introduced by Spaeth

HB 237, introduced by R. Nelson

HB 281, introduced by Stickney

HB 305, introduced by Russell

HB 341, introduced by McCormick

HB 402, introduced by J. Brown

HB 421, introduced by R. Nelson

HB 459, introduced by J. Brown
HB 461, introduced by Ream
HB 484, introduced by Hannah
HB 581, introduced by Iverson

House bills concurred in and returned to the House for concurrence in
Senate amendments: 3/6/89

HB 33, introduced by Pavlovich
HB 87, introduced by Kilpatrick
HB 89, introduced by Peck
HB 155, introduced by Smith
HB 159, introduced by R. Nelson
HB 183, introduced by Roth
HJR 22, introduced by Ream

House bill requested to be returned for further consideration: 3/6/89

HB 231, introduced by D. Brown

House bill not concurred in and returned to the House: 3/6/89

HB 286, introduced by Lee

Senate bill passed and transmitted to the House for concurrence: 3/6/89

SB 379, introduced by Abrams

MESSAGES FROM THE GOVERNOR

John Vincent
Speaker of the House
Montana House of Representatives
State Capitol
Helena, Montana 59620

March 7, 1989

Dear Representative Vincent:

Please be informed that I have signed House Bills 7, 38, 63, 75, 120 and 129 on March 6, 1989.

Sincerely,

STAN STEPHENS
Governor

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following Senate bill was introduced, read first time, and referred to committee:

SB 379, introduced by Abrams, Noble, Ellison, Severson, Iverson, Hannah, Spaeth, Beck, Harp, Walker, Gage, Swysgood, Devlin, Galt, Jenkins, Farrell, Tveit, referred to Committee on Taxation

MOTIONS

Representative Westlake moved the rules be suspended to allow for the late drafting and introduction of a joint resolution. Motion carried.

Representative Simpkins moved consideration of HB 525 be passed until the 55th legislative day. Motion carried.

Representative Harper moved the House accede to the request of the Senate to return HB 231. Motion carried.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Kimberley in the Chair.

Speaker Pro Tempore: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 115 - Representative Pavlovich moved SB 115 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Harper, Harrington, Hayne, Iverson, Johnson, Kadas, Keller, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: Kasten, Kimberley.
Total 2

Excused: Clark, Ellison, Hanson, Hoffman, Kilpatrick, Russell, Thoft, Thomas.
Total 8

Absent or not voting: Hansen.
Total 1

SB 179 - Representative Pavlovich moved SB 179 be concurred in. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Harper, Harrington, Hayne, Johnson, Kasten, Keller, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 80

Noes: Aafedt, Campbell, DeBruycker, Good, Guthrie, Iverson, R. Nelson, T. Nelson, O'Keefe.
Total 9

Excused: Clark, Ellison, Hanson, Hoffman, Kilpatrick, Russell, Thoft, Thomas.
Total 8

Absent or not voting: Darko, Hannah, Kadas.
Total 3

SB 233 - Representative Grady moved SB 233 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Harper, Harrington, Hayne, Iverson, Johnson, Keller, Kimberley, Koehnke, Marks, McCormick, McDonough, Menahan, Moore, L. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stickney, Strizich, Swift, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 74

Noes: Campbell, Cobb, Elliott, Kasten, Knapp, Lee, Mercer, R. Nelson, T. Nelson, Peck, Peterson, Rice, Roth, Spring, Stepler, Swysgood.

Total 16

Excused: Clark, Ellison, Hanson, Hoffman, Kilpatrick, Russell, Thoft, Thomas.

Total 8

Absent or not voting: Hansen, Kadas.

Total 2

Representatives Ellison and Westlake present at this time.

SB 237 - Representative Grady moved SB 237 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Harper, Harrington, Hayne, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: DeBruycker, Gilbert, Lee, T. Nelson, Peterson.

Total 5

Excused: Clark, Hanson, Hoffman, Russell, Thoft, Thomas.

Total 6

Absent or not voting: Kimberley.

Total 1

SB 280 - Representative Wallin moved SB 280 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Harper, Harrington, Hayne, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks,

McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Wallin, Westlake, Whalen, Zook, Mr. Speaker.

Total 90

Noes: Campbell, Kasten, Wyatt.

Total 3

Excused: Clark, Hanson, Hoffman, Russell, Thoft, Thomas.

Total 6

Absent or not voting: Ellison.

Total 1

SB 364 - Representative T. Nelson moved SB 364 be concurred in.
Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Harper, Harrington, Hayne, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Clark, Hanson, Hoffman, Russell, Thoft, Thomas.

Total 6

Absent or not voting: None.

Total 0

Representatives Hannah and Roth excused at this time.

SJR 6 - Representative Harrington moved SJR 6 be concurred in.
Motion carried as follows:

Ayes: Aafedt, Addy, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Connelly, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Gould, Grady, Grinde, Hansen, Harper, Harrington, Hayne, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, McCormick, McDonough, Menahan, Moore, L. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Schye, Simon, Simpkins, Smith, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 72

Noes: Bachini, Bardanouve, Compton, Daily, DeBruycker, Gilbert, Good, Guthrie, Iverson, Kasten, Koehnke, Lee, Marks, Mercer, R. Nelson, T. Nelson, Peck, Spaeth, Spring, Swift.

Total 20

Excused: Clark, Hannah, Hanson, Hoffman, Roth, Russell, Thoft, Thomas.
Total 8

Absent or not voting: None.
Total 0

Representative Harper moved the committee rise and report. Motion carried. Committee arose. House resumed. Speaker Pro Tempore Addy in the Chair. Chairman Kimberley moved the adoption of the committee report. Report adopted. (89-3)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 62, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Harper, Harrington, Hayne, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 87

Noes: Campbell, Cobb, Peck, Steppler, Swysgood.
Total 5

Excused: Clark, Hanson, Hoffman, Roth, Russell, Thoft, Thomas.
Total 7

Absent or not voting: Menahan.
Total 1

HB 262, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Harper, Harrington, Hayne, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: None.
Total 0

Excused: Clark, Hanson, Hoffman, Roth, Russell, Thoft, Thomas.

March 7, 1989

Total 7

Absent or not voting: Menahan.

Total 1

HB 618 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Gervais, Glaser, Grady, Hansen, Harper, Harrington, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough, Menahan, Moore, L. Nelson, R. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, Russell, Schye, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 56

Noes: Aafedt, Boharski, Campbell, Cobb, Compton, DeBruycker, Ellison, Eudaily, Giacometto, Gilbert, Good, Gould, Grinde, Guthrie, Hannah, Hayne, Iverson, Kasten, Keller, Lee, Marks, Mercer, T. Nelson, Owens, Patterson, Peterson, Phillips, Ramirez, Rehberg, Rice, Simon, Simpkins, Smith, Spring, Swift, Swysgood, Wallin, Zook.

Total 38

Paired: Russell, Aye; Rehberg, No.

Excused: Clark, Hanson, Hoffman, Roth, Thoft, Thomas.

Total 6

Absent or not voting: None.

Total 0

HB 723 passed as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Harper, Harrington, Hayne, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Clark, Hanson, Hoffman, Roth, Russell, Thoft, Thomas.

Total 7

Absent or not voting: Bardanouve.

Total 1

SB 3 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll,

Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Harper, Harrington, Hayne, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Giacometto, O'Keefe.

Total 2

Excused: Clark, Hanson, Hoffman, Roth, Russell, Thoft, Thomas.

Total 7

Absent or not voting: None.

Total 0

SB 17 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Harper, Harrington, Hayne, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Swift.

Total 1

Excused: Clark, Hanson, Hoffman, Roth, Russell, Thoft, Thomas.

Total 7

Absent or not voting: None.

Total 0

SB 29 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Harper, Harrington, Hayne, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: None.

Total 0

Excused: Clark, Hanson, Hoffman, Roth, Russell, Thoft, Thomas.

Total 7

Absent or not voting: Cohen, Good.

Total 2

SB 39 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Harper, Harrington, Hayne, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: Campbell, Cobb, Giacometto, Gilbert, Koehnke.

Total 5

Excused: Clark, Hanson, Hoffman, Roth, Russell, Thoft, Thomas.

Total 7

Absent or not voting: None.

Total 0

SB 49 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Harper, Harrington, Hayne, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Clark, Hanson, Hoffman, Roth, Russell, Thoft, Thomas.

Total 7

Absent or not voting: None.

Total 0

SB 51 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen,

Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Harper, Harrington, Hayne, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Clark, Hanson, Hoffman, Roth, Russell, Thoft, Thomas.

Total 7

Absent or not voting: Good.

Total 1

SB 52 concurred in as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Harper, Harrington, Hayne, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Clark, Hanson, Hoffman, Roth, Russell, Thoft, Thomas.

Total 7

Absent or not voting: Addy.

Total 1

SB 64 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Harrington, Hayne, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 81

March 7, 1989

Noes: Campbell, Davis, DeBruycker, Giacometto, Glaser, Harper, Kadas, Knapp, Patterson, Ramirez, Swysgood.

Total 11

Excused: Clark, Hanson, Hoffman, Roth, Russell, Thoft, Thomas.

Total 7

Absent or not voting: Lee.

Total 1

SB 69 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Harper, Harrington, Hayne, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Schye, Simon, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: Campbell, Glaser, Phillips, Simpkins.

Total 4

Excused: Clark, Hanson, Hoffman, Roth, Russell, Thoft, Thomas.

Total 7

Absent or not voting: None.

Total 0

SB 124 concurred in as follows:

Ayes: Aafedt, Addy, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Glaser, Good, Grady, Hansen, Harper, Harrington, Hayne, Johnson, Kadas, Kilpatrick, Kimberley, McCormick, McDonough, Menahan, Moore, L. Nelson, R. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Phillips, Quilici, Raney, Ream, Rice, Schye, Simon, Simpkins, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Wallin, Whalen, Wyatt, Mr. Speaker.

Total 64

Noes: Bachini, Campbell, Cobb, Ellison, Gilbert, Gould, Grinde, Guthrie, Hannah, Iverson, Kasten, Keller, Knapp, Koehnke, Lee, Marks, Mercer, T. Nelson, Peck, Peterson, Ramirez, Rehberg, Smith, Spring, Swysgood, Westlake, Zook.

Total 27

Excused: Clark, Hanson, Hoffman, Roth, Russell, Thoft, Thomas.

Total 7

Absent or not voting: Darko, DeBruycker.

Total 2

SB 141 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Harper, Harrington, Hayne, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Wallin, Westlake, Whalen, Zook, Mr. Speaker.

Total 90

Noes: Wyatt.

Total 1

Excused: Clark, Hanson, Hoffman, Roth, Russell, Thoft, Thomas.

Total 7

Absent or not voting: Phillips, Schye.

Total 2

SB 173 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Harper, Harrington, Hayne, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Schye, Simon, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 85

Noes: Campbell, Ellison, Gilbert, Good, Kasten, Marks, Raney, Simpkins.

Total 8

Excused: Clark, Hanson, Hoffman, Roth, Russell, Thoft, Thomas.

Total 7

Absent or not voting: None.

Total 0

SB 175 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Harper, Harrington, Hayne, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: Giacometto, Hannah, Stepler, Wallin.

Total 4

Excused: Clark, Hanson, Hoffman, Roth, Russell, Thoft, Thomas.

Total 7

Absent or not voting: None.

Total 0

SB 176 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hansen, Harper, Harrington, Hayne, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 83

Noes: Campbell, Cobb, Giacometto, Grinde, Hannah, Rehberg, Rice, Swysgood.

Total 8

Excused: Clark, Hanson, Hoffman, Roth, Russell, Thoft, Thomas.

Total 7

Absent or not voting: Bardanouve, Blotkamp.

Total 2

Representative Clark present at this time.

SB 204 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Harper, Harrington, Hayne, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Ramirez, Raney, Rehberg, Rice, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Cody.

Total 1

Excused: Hanson, Hoffman, Roth, Russell, Thoft, Thomas.

Total 6

Absent or not voting: Quilici, Ream.

Total 2

SB 213 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Harper, Harrington, Hayne, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Grinde, O'Keefe, Peck.

Total 3

Excused: Hanson, Hoffman, Roth, Russell, Thoft, Thomas.

Total 6

Absent or not voting: None.

Total 0

SB 216 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Harper, Harrington, Hayne, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Hanson, Hoffman, Roth, Russell, Thoft, Thomas.

Total 6

Absent or not voting: None.

Total 0

SB 221 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Gilbert, Glaser, Gould, Grady, Guthrie, Hannah, Hansen, Harrington, Hayne, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Wallin, Westlake, Whalen, Zook, Mr. Speaker.

Total 81

Noes: Campbell, Cobb, DeBruycker, Ellison, Giacometto, Grinde, Harper, Marks, McCormick, T. Nelson, Phillips, Wyatt.

Total 12

Excused: Hanson, Hoffman, Roth, Russell, Thoft, Thomas.

Total 6

Absent or not voting: Good.

Total 1

Representative Hoffman present at this time.

SB 222 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Hanson, Roth, Russell, Thoft, Thomas.

Total 5

Absent or not voting: None.

Total 0

SB 243 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Hanson, Roth, Russell, Thoft, Thomas.

Total 5

Absent or not voting: D. Brown.

Total 1

SB 298 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Clark, Hannah.

Total 2

Excused: Hanson, Roth, Russell, Thoft, Thomas.

Total 5

Absent or not voting: None.

Total 0

Representative Russell present at this time.

SB 304 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Gould, Grady, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Phillips, Quilici, Raney, Rehberg, Rice, Russell, Schye, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 80

Noes: Boharski, Campbell, Clark, Cobb, DeBruycker, Gilbert, Good, Grinde, Guthrie, Kasten, Peck, Peterson, Ramirez, Simon, Stepler.

Total 15

Excused: Hanson, Roth, Thoft, Thomas.

Total 4

Absent or not voting: Ream.

Total 1

SB 314 concurred in as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Glaser, Good, Gould, Hansen, Harper, Harrington, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Lee, McDonough, Menahan, Mercer, Moore, L. Nelson, Nisbet,

O'Keefe, Peck, Quilici, Raney, Ream, Rice, Russell, Schye, Simon, Spaeth, Squires, Stang, Stickney, Strizich, Whalen, Wyatt, Mr. Speaker.

Total 56

Noes: Aafedt, Campbell, Clark, Cobb, Compton, Daily, DeBruycker, Ellison, Giacometto, Gilbert, Grady, Grinde, Guthrie, Hannah, Hayne, Hoffman, Kasten, Keller, Koehnke, Marks, McCormick, R. Nelson, T. Nelson, O'Connell, Owens, Patterson, Pavlovich, Peterson, Phillips, Ramirez, Rehberg, Simpkins, Smith, Spring, Steppler, Swift, Swysgood, Wallin, Westlake, Zook.

Total 40

Excused: Hanson, Roth, Thoft, Thomas.

Total 4

Absent or not voting: None.

Total 0

SB 324 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Clark, Hannah.

Total 2

Excused: Hanson, Roth, Thoft, Thomas.

Total 4

Absent or not voting: Gervais.

Total 1

SB 330 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Campbell, DeBruycker, Giacometto, Hannah.

Total 4

Excused: Hanson, Roth, Thoft, Thomas.

Total 4

Absent or not voting: None.

Total 0

SB 346 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Campbell, Good.

Total 2

Excused: Hanson, Roth, Thoft, Thomas.

Total 4

Absent or not voting: None.

Total 0

SB 365 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Schye, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Hannah, Knapp, Peck.

Total 3

Excused: Hanson, Roth, Thoft, Thomas.

Total 4

Absent or not voting: Simon.

Total 1

SB 366 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady,

Grinde, Guthrie, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: DeBruycker, Hannah, Knapp, Koehnke, Patterson, Peck, Spring.
Total 7

Excused: Hanson, Roth, Thoft, Thomas.
Total 4

Absent or not voting: None.
Total 0

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 3/7/89
Correctly enrolled: HB 219, HB 314, HB 331, HB 334, HB 531, HJR 8.
Signed by the Speaker at 2:05 p.m., 3/7/89: HB 219, HB 314, HB 331, HB 334, HB 531, HJR 8.

BUSINESS AND ECONOMIC DEVELOPMENT (Pavlovich, Chairman): 3/7/89

SB 215, third reading copy, be amended as follows:

1. Title, line 9.
Strike: "AND"
2. Title, line 11.
Following: "DATE"
Insert: "," AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"
3. Page 1, lines 15 and 25.
Strike: "6"
Insert: "5"
4. Page 4, line 9.
Strike: section 6 in its entirety
Renumber: subsequent sections
5. Page 18, line 17.
Strike: "7"
Insert: "6"
6. Page 18.
Following: line 20
Insert: "NEW SECTION. Section 8. Effective date. [This act] is effective on passage and approval."

And, as amended, be concurred in. Report adopted.

SB 406, third reading copy, be amended as follows:

1. Page 9, line 18.
Strike: "15%"
Insert: "10%"

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And, as amended, be concurred in. Report adopted.

MOTIONS

Speaker Vincent moved HB 300 be taken from printing and rereferred to the Committee on Appropriations. Motion carried.

Representative Connelly moved the rules be suspended to allow her to record a vote on HB 618, third reading. Motion carried.

Representative Connelly moved her vote on HB 618, third reading, be recorded as yes. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved the House adjourn until 12:30 p.m., Wednesday, March 8, 1989.

Motion carried.

House adjourned at 2:50 p.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

FIFTY-FOURTH LEGISLATIVE DAY

Helena, Montana
March 8, 1989

House Chambers
State Capitol

House convened at 12:30 p.m., Speaker Pro Tempore Addy in the Chair.
Invocation by Representative Strizich. Pledge of Allegiance to the Flag.

Roll call. All members present except Cobb and Spaeth, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 3/8/89

Correctly printed: HB 742, HB 750.

Correctly engrossed: SB 179, SB 237, SJR 6.

Correctly enrolled: HB 5, HB 29, HB 381.

Examined by the sponsor and found to be correct:

HB 5 - Eudaily

HB 29 - Harrington

Signed by the Speaker at 10:00 a.m., 3/8/89: SB 58, SJR 2.

Delivered to the Governor for his approval at 3:00 p.m., 3/7/89: HB 219,
HB 314, HB 331, HB 334, HB 531.

FISH AND GAME (Ream, Chairman): 3/8/89

SB 33, be concurred in. Report adopted.

SB 219, be concurred in. Report adopted.

Adverse Committee Reports

HB 740, introduced bill, be amended as follows:

1. Title, line 6.

Following: "PROGRAM;"

Insert: "PROVIDING THAT UNEXPENDED REVENUE BE
USED TO FUND WILDLIFE HABITAT;"

2. Title, line 8.

Following: "MCA;"

Strike: "AND"

3. Title, line 9.

Following: "DATE"

Insert: "; AND PROVIDING A TERMINATION DATE"

4. Page 2, line 14.

Following: "program."

Insert: "Any funds that are not spent for the elk feeding program
during a fiscal year must be used exclusively by the commission to
secure, develop, and maintain wildlife habitat."

5. Page 2, line 17.

Strike: "\$600,000"

Insert: "\$100,000"

6. Page 2.

Following: line 25

Insert: "Section 6. Termination. [This act] terminates July 1, 1991."

And, as amended, do not pass.

SB 48, be not concurred in.

HIGHWAYS AND TRANSPORTATION (Stang, Chairman): 3/7/89

SB 61, be concurred in. Report adopted.

SB 73, be concurred in. Report adopted.

SB 81, be concurred in. Report adopted.

SB 98, be concurred in. Report adopted.

LABOR AND EMPLOYMENT RELATIONS (Russell, Chairman): 3/8/89

SB 156, be concurred in. Report adopted.

SB 159, be concurred in. Report adopted.

LOCAL GOVERNMENT (Darko, Chairman):

3/7/89

SB 249, third reading copy, be amended as follows:

1. Page 3, line 8.

Strike: "this"

Insert: "his"

And, as amended, be concurred in. Report adopted.

SB 271, be concurred in. Report adopted.

SB 332, be concurred in. Report adopted.

Adverse Committee Report

SB 252, be not concurred in.

STATE ADMINISTRATION (J. Brown, Chairman):

3/7/89

SB 121, be concurred in. Report adopted.

SB 210, be concurred in and placed on consent calendar. Report adopted.

SB 232, be concurred in. Report adopted.

TAXATION (Harrington, Chairman):

3/7/89

HB 589, introduced bill, be amended as follows:

1. Page 2, line 24.

Following: "establishment"

Insert: "or repeal"

Following: "area"

Insert: "designation"

2. Page 2, line 25.

Following: "imposing"

Insert: "or repealing"

3. Page 3, line 3.

Following: "proposed"

Insert: "or existing"

4. Page 3, line 6.

Following: "impose"

Insert: "or repeal"

5. Page 4, line 4.

Following: "facilities"

Strike: ".,"

Insert: "."

6. Page 4, lines 5 through 7.

Strike: subsection (2)(a)(v) in its entirety

7. Page 8.

Following: line 19

Insert: "(c) The governing body must be reimbursed from the tax relief fund for costs associated with the collection, administration, and litigation of the resort area tax."

And, as amended, do pass. Report adopted.

ADVERSE COMMITTEE REPORT

HB 643 - Representative Harrington moved the 3/7/89 adverse committee report on HB 643 be adopted. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: Campbell, Clark, Giacometto, Gould, O'Keefe.
Total 5

Excused: Cobb, Spaeth.
Total 2

Absent or not voting: Cohen, Menahan.
Total 2

Representative Spaeth present at this time.

MOTIONS

Representative Pavlovich moved SB 87 be taken from Order of Business No. 2 and rereferred to the Committee on Business and Economic Development. Motion carried.

Representative J. Brown moved SB 152 be taken from the Committee on State Administration and rereferred to the Committee on Appropriations. Motion carried.

Representative D. Brown moved SB 157 on the second reading board this legislative day be placed below SB 122 on the second reading board. Motion carried.

Representative R. Nelson moved consideration of Senate amendments to HB 159 be passed for the day. Motion carried.

Representative Stang moved the House request the Senate return SB 216 for the purpose of amendment. Motion carried.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:

3/7/89

HB 74, introduced by Cobb
HB 119, introduced by Knapp
HB 186, introduced by Ream
HB 212, introduced by Guthrie
HB 223, introduced by Wallin
HB 297, introduced by Roth
HB 302, introduced by Grady

HB 342, introduced by Darko
HB 392, introduced by Darko
HB 417, introduced by Pavlovich
HB 429, introduced by Grady
HB 430, introduced by Grady
HB 480, introduced by Knapp
HB 533, introduced by Davis
HB 624, introduced by Menahan
HJR 6, introduced by O'Keefe

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 3/7/89

HB 167, introduced by Stickney
HB 290, introduced by Giacometto
HB 431, introduced by Grady

House bill not concurred in and returned to the House: 3/8/89

HB 209, introduced by Hannah

Senate bill passed and transmitted to the House for concurrence: 3/7/89

SB 339, introduced by Gage

Senate bill returned by request of the House for further consideration: 3/7/89

SB 77, introduced by Beck

MESSAGES FROM THE GOVERNOR

John Vincent March 8, 1989
Speaker of the House
Montana House of Representatives
State Capitol
Helena, Montana 59620

Dear Representative Vincent:

Please be informed that I have signed House Bills 99, 150, 160, and 170 on March 7, 1989.

Sincerely,

STAN STEPHENS
Governor

The Honorable John Vincent March 7, 1989
Speaker of the House
State Capitol
Helena, Montana 59620

The Honorable Jack E. Galt
President of the Senate
State Capitol
Helena, Montana 59620

Dear Representative Vincent and Senator Galt:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return House Bill 58, "AN ACT PROVIDING FOR LOCAL GOVERNMENT DISCRETION TO

SUSPEND OR CANCEL DELINQUENT PROPERTY TAXES ON COMMERCIAL PROPERTY TO FACILITATE THE PURCHASE AND CONTINUED OPERATION OF A BUSINESS UTILIZING THE PROPERTY; AMENDING SECTIONS 15-16-102, 15-16-113, 15-16-117, 15-16-301, 15-16-303, 15-16-401, 15-16-402, 15-16-404, 15-17-122, AND 15-17-911, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A RETROACTIVE APPLICABILITY DATE; AND PROVIDING A TERMINATION DATE," with the attached amendments for the following reasons.

House Bill 58, in its present form, transfers the power of state taxation from the state legislature to county commissioners. In so doing, the legislation may seriously erode Montana's school foundation program by permitting suspension and cancellation of state imposed property tax (20-9-331 and 20-9-333, MCA) for the support of elementary and secondary schools. The proposed amendments would exclude the county equalization mandatory mills and the statewide university six mills from suspension and cancellation.

My amendments also protect the permissive levy imposed by the school board of trustees as provided for in 20-9-352, MCA. This will allow school districts the ability to achieve the maximum general fund budget without a voted levy. Without adequate limitations on the extent of suspending and canceling these property taxes, individual school districts could have budget authority without adequate revenue.

Further, the debt service fund obligation for outstanding district bonds as provided in 20-9-439, MCA, and the teacher retirement fund obligations as provided in 20-9-501, MCA, are also excluded from possible suspension and cancellation actions.

My proposed amendments would protect the school foundation program's source of revenue and still provide property tax relief incentive for the development of commercial properties. Approximately 40% of all property taxes on those commercial properties may still be suspended or canceled.

In light of the recent Montana Supreme Court decision, Helena Elementary School District Number One, et. al. vs. State of Montana, et. al., case Number 88-381, decided February 1, 1989, sources of revenue to support the state's share of the cost of public education must be thoroughly examined and maintained.

I urge your concurrence in these amendments.

Governor's Amendments to HB 58

1. Page 15, line 17.

Strike: "INCLUDING"

Insert: "Except:"

2. Page 15, line 19.

Following: "20-9-333,"

Strike: "and"

Following: "20-25-423"

Insert: "20-9-352, 20-9-439, 20-9-501"

Following: ","

Insert: "and"

3. Page 15, line 20.

Following: "(B)"

Strike: "DOES NOT APPLY TO"

Sincerely,

STAN STEPHENS
Governor

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 758, introduced by Hannah, referred to Committee on Appropriations

HB 759, introduced by O'Connell, Thayer, Wyatt, Cody, Good, Pavlovich, Walker, Meyer, Raney, Davis, Noble, Lynch, Wallin, Connelly, J. Brown, Hayne, Spaeth, Peterson, Blotkamp, T. Nelson, Davis, Gould, Nisbet, Whalen, Steppler, Strizich, Simpkins, Nathe, Squires, Roth, Brooke, Harper, D. Brown, Ream, Addy, Aafedt, Stickney, Darko, L. Nelson, McDonough, Rice, Menahan, McCormick, Phillips, DeBruycker, Cocchiarella, Grady, Kilpatrick, Gervais, Vincent, O'Keefe, Compton, Thomas, Swift, Simon, Rehberg, Guthrie, Beck, Driscoll, Stang, Elliott, Campbell, Giacometto, Zook, Grinde, Manning, Boylan, Williams, Stimatz, Jacobson, Hager, McLane, Hammond, Anderson, Gage, Harding, Jenkins, Hofman, Aklestad, Crippen, B. Brown, Keating, Halligan, Weeding, Rasmussen, Bishop, Severson, Addy, Quilici, Tveit, Hannah, Daily, Harrington, Patterson, Hansen, Peck, Russell, Clark, Gilbert, Smith, Owens, Cobb, Schye, Moore, Swysgood, Koehnke, DeMars, referred to Committee on Appropriations

HB 760, introduced by Hannah, Bengtson, Glaser, Rehberg, Roth, Westlake, Simon, Ramirez, Kimberley, Kilpatrick, Patterson, Regan, Iverson, Addy, Ream, Spaeth, D. Brown, Stimatz, Driscoll, T. Nelson, Whalen, Crippen, Bishop, Hager, Blaylock, McDonough, Marks, McLane, referred to Committee on Appropriations

HB 761, introduced by Moore, Hansen, Lynch, Connelly, Giacometto, Simon, Koehnke, Cobb, Iverson, Meyer, Grady, Cody, Cohen, Pipinich, Brooke, O'Connell, O'Keefe, Kimberley, Harper, referred to Committee on Appropriations

The following Senate bill was introduced, read first time, and referred to committee:

SB 339, introduced by Gage, Halligan, referred to Committee on Taxation

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Iverson in the Chair.

Speaker Pro Tempore: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 33 - Representative Pavlovich moved Senate amendments to HB 33 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould,

Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: Cobb, Wallin.
Total 2

Absent or not voting: Marks, Roth.
Total 2

Representatives Addy, Elliott, L. Nelson, Raney, Rice, Spring, Swysgood, and Wallin excused at this time.

HB 87 - Representative Kilpatrick moved Senate amendments to HB 87 be concurred in. Motion failed as follows:

Ayes: Bachini, Bardanoue, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, Driscoll, Gervais, Gould, Grady, Hansen, Harper, Johnson, Kilpatrick, Kimberley, Koehnke, McCormick, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Quilici, Ream, Russell, Schye, Spaeth, Squires, Steppler, Stickney, Strizich, Wyatt, Mr. Speaker.
Total 41

Noes: Aafedt, Boharski, Campbell, Clark, Compton, DeBruycker, DeMars, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Iverson, Kasten, Keller, Knapp, Lee, Marks, McDonough, Mercer, R. Nelson, T. Nelson, Owens, Patterson, Peterson, Phillips, Ramirez, Rehberg, Roth, Simon, Simpkins, Smith, Stang, Swift, Thoft, Thomas, Westlake, Whalen, Zook.
Total 46

Excused: Addy, Cobb, Elliott, L. Nelson, Raney, Rice, Spring, Swysgood, Wallin.
Total 9

Absent or not voting: Harrington, Kadas, Menahan, Moore.
Total 4

HB 89 - Representative Peck moved Senate amendments to HB 89 be concurred in. Motion carried as follows:

Ayes: Aafedt, Bachini, Bardanoue, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Steppler, Stickney,

Strizich, Swift, Thoft, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: None.

Total 0

Excused: Addy, Cobb, Elliott, L. Nelson, Raney, Rice, Spring, Swysgood, Wallin.

Total 9

Absent or not voting: Good, Hannah, Kadas.

Total 3

Representative Cocchiarella excused at this time.

HB 155 - Representative Smith moved Senate amendments to HB 155 be concurred in. Motion carried as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Steppler, Stickney, Swift, Thoft, Thomas, Westlake, Whalen, Zook, Mr. Speaker.

Total 86

Noes: Gervais, Wyatt.

Total 2

Excused: Addy, Cobb, Cocchiarella, Elliott, L. Nelson, Raney, Rice, Spring, Swysgood, Wallin.

Total 10

Absent or not voting: Kadas, Strizich.

Total 2

Representative Wallin present at this time.

HB 183 - Representative Roth moved Senate amendments to HB 183 be concurred in. Motion carried as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Ellison, Gervais, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: None.

Total 0

Excused: Addy, Cobb, Cocchiarella, Elliott, L. Nelson, Raney, Rice, Spring, Swysgood.

Total 9

Absent or not voting: Eudaily, Giacometto, Grinde.

Total 3

Representative Elliott present at this time.

HJR 22 - Representative Ream moved Senate amendments to HJR 22 be concurred in. Motion carried as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Rehberg, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: None.

Total 0

Excused: Addy, Cobb, Cocchiarella, L. Nelson, Raney, Rice, Spring, Swysgood.

Total 8

Absent or not voting: Grinde, Guthrie, Kadas, Ream.

Total 4

Representative O'Keefe excused at this time.

SB 5 - Representative Johnson moved SB 5 be concurred in. Motion carried as follows:

Ayes: Aafedt, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: None.

Total 0

Excused: Addy, Cobb, Cocchiarella, L. Nelson, O'Keefe, Raney, Rice, Spring, Swysgood.

Total 9

Absent or not voting: Bardanouve, Grinde.

Total 2

SB 21 - Representative Mercer moved SB 21 be concurred in. Motion carried as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Gould, Grady, Guthrie, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Mercer, Moore, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thoft, Wallin, Whalen, Zook, Mr. Speaker.

Total 79

Noes: Campbell, Clark, DeMars, Giacometto, Hanson, Koehnke, Thomas, Westlake, Wyatt.

Total 9

Excused: Addy, Cobb, Cocchiarella, L. Nelson, O'Keefe, Raney, Rice, Spring, Swysgood.

Total 9

Absent or not voting: Good, Grinde, Menahan.

Total 3

SB 77 - Representative Darko moved SB 77, third reading copy, be amended as follows:

1. Page 1, line 16.

Following: "~~15~~"

Strike: "25"

Insert: "20"

2. Page 1, line 17.

Following: "~~18~~"

Strike: "27"

Insert: "23"

Amendment passed as follows:

Ayes: Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Good, Grady, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Kadas, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McDonough, Mercer, Moore, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Quilici, Ream, Roth, Russell, Schye, Simpkins, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Thoft, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 64

Noes: Aafedt, Boharski, DeBruycker, Ellison, Gilbert, Glaser, Gould, Hannah, Johnson, Kasten, Keller, Lee, McCormick, R. Nelson, T. Nelson, Owens, Patterson, Phillips, Ramirez, Rehberg, Simon, Smith, Swift, Thomas, Westlake.

Total 25

Excused: Addy, Cobb, Cocchiarella, L. Nelson, O'Keefe, Raney, Rice,
Spring, Swysgood.
Total 9

Absent or not voting: Grinde, Menahan.
Total 2

Representatives Raney and Rice present at this time.

Representative Boharski moved SB 77, third reading copy, be
amended as follows:

1. Title, line 4.

Following: " "AN ACT"

Insert: "TO AUTHORIZE THE BOARD OF COUNTY COMMIS-
SIONERS"

2. Title, lines 5 through 7.

Strike: "IN" on line 5 through "25" on line 7

Insert: "BY UP TO 10"

3. Title, line 7.

Following: "MILLS"

Insert: "IF APPROVED BY THE ELECTORATE"

4. Page 1, line 12.

Following: "(1)"

Insert: "(a)"

5. Page 1, line 16.

Strike: "25"

Insert: "15"

6. Page 1, line 17.

Strike: "27"

Insert: "18"

7. Page 1.

Following: line 20

Insert: "(b) The board of county commissioners may levy not more
than 10 mills in addition to the appropriate number of mills author-
ized in subsection (1)(a) if the electorate of the county subject to the
tax approves the imposition of the additional levy at a general or
special election."

Amendment passed as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Clark,
Compton, DeBruycker, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good,
Gould, Grinde, Hannah, Hanson, Hayne, Hoffman, Iverson, Johnson,
Kasten, Keller, Koehnke, Lee, Marks, Mercer, R. Nelson, T. Nelson,
Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney,
Rehberg, Rice, Roth, Simon, Smith, Stang, Swift, Thoft, Thomas, Wallin,
Westlake, Whalen, Wyatt, Zook.
Total 53

Noes: Brooke, D. Brown, J. Brown, Campbell, Cody, Cohen, Daily, Darko,
Davis, DeMars, Driscoll, Elliott, Gervais, Grady, Guthrie, Hansen, Harper,
Harrington, Kadas, Kilpatrick, Kimberley, Knapp, McCormick,
McDonough, Menahan, Moore, Nisbet, Pavlovich, Ream, Russell, Schye,
Simpkins, Spaeth, Squires, Steppler, Stickney, Strizich, Mr. Speaker.
Total 38

Paired: Mercer, Aye; Grady, No.

Excused: Addy, Cobb, Cocchiarella, L. Nelson, O'Keefe, Spring, Swysgood.
Total 7

Absent or not voting: Connelly, O'Connell.
Total 2

Representative Cocchiarella present at this time.

Representative Simpkins moved SB 77, as amended, be concurred in.

Representative Marks made a substitute motion SB 77 be moved to the bottom of the second reading board. Motion carried.

SB 85 - Representative Gilbert moved SB 85 be concurred in. Motion carried as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grinde, Guthrie, Hannah, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: Good.

Total 1

Excused: Addy, Cobb, Grady, L. Nelson, O'Keefe, Spring, Swysgood.
Total 7

Absent or not voting: D. Brown, Hansen, Kadas, Marks.
Total 4

Representative Zook excused at this time.

Representative Cobb present at this time.

SB 118 - Representative Harrington moved SB 118 be concurred in. Motion carried as follows:

Ayes: Aafedt, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Glaser, Good, Grinde, Guthrie, Hanson, Harper, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Smith, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Mr. Speaker.

Total 79

Noes: Bachini, Cobb, DeBruycker, Ellison, Gilbert, Gould, Hannah, Hansen, Peck, Raney, Simpkins, Wyatt.

Total 12

March 8, 1989

Excused: Addy, Grady, L. Nelson, O'Keefe, Spring, Swysgood, Zook.
Total 7

Absent or not voting: Harrington, Iverson.
Total 2

SB 122 - Representative D. Brown moved SB 122 be concurred in.
Motion carried as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.
Total 91

Noes: None.
Total 0

Excused: Addy, Grady, L. Nelson, O'Keefe, Spring, Swysgood, Zook.
Total 7

Absent or not voting: Clark, Thoft.
Total 2

Representatives L. Nelson, Spring, Swysgood, and Zook present at this time.

SB 157 - Representative D. Brown moved SB 157 be concurred in.
Motion carried as follows:

Ayes: Aafedt, Bachini, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 85

Noes: Bardanouve, Boharski, Campbell, Cobb, DeBruycker, Gilbert, Grinde, Hannah, R. Nelson, Owens, Smith.
Total 11

Paired: Brooke, Aye; Hannah, No.

Excused: Addy, Grady, O'Keefe.
Total 3

Absent or not voting: Spring.
Total 1

SB 146 - Representative Hansen moved SB 146 be concurred in. Motion carried as follows:

Ayes: Aafedt, Bachini, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: Campbell.

Total 1

Excused: Addy, Brooke, Grady, O'Keefe.

Total 4

Absent or not voting: Bardanouve, Blotkamp, Compton, Hannah, Hayne, Kadas, Swysgood.

Total 7

SB 147 - Representative T. Nelson moved SB 147, third reading copy, be amended. Amendment failed. (44-44)

Representative Darko moved SB 147 be concurred in.

Representative DeBruycker made a substitute motion SB 147 be placed at the bottom of the second reading board. Motion carried as follows:

Ayes: Aafedt, Boharski, Campbell, Clark, Cobb, Compton, Daily, DeBruycker, Ellison, Giacometto, Gilbert, Glaser, Good, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Kasten, Keller, Koehnke, Lee, Marks, Mercer, R. Nelson, T. Nelson, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Ramirez, Rehberg, Rice, Roth, Simon, Simpkins, Smith, Spaeth, Spring, Swift, Swysgood, Thoft, Thomas, Zook.

Total 48

Noes: Bachini, Blotkamp, Bradley, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Gould, Hansen, Harrington, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, McCormick, McDonough, Menahan, Moore, L. Nelson, Nisbet, Quilici, Raney, Ream, Russell, Schye, Squires, Stang, Stepler, Stickney, Strizich, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 45

Excused: Addy, Brooke, Grady, O'Keefe.

Total 4

Absent or not voting: Bardanouve, Harper, Wallin.

Total 3

Representative Addy present at this time.

SB 181 - Representative J. Brown moved SB 181 be concurred in. Motion carried as follows:

March 8, 1989

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.

Total 92

Noes: Boharski, Steppler, Wyatt.

Total 3

Excused: Brooke, Grady, O'Keefe.

Total 3

Absent or not voting: DeBruycker, Kasten.

Total 2

SB 183 - Representative Giacometto moved SB 183 be concurred in.
Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Cobb, Grinde.

Total 2

Excused: Brooke, Grady, O'Keefe.

Total 3

Absent or not voting: Hannah, Kadas.

Total 2

Representatives Brooke and O'Keefe present at this time.

SB 189 - Representative Hansen moved SB 189 be concurred in. Motion carried as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Hansen, Hanson, Harrington, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Marks, McCormick, McDonough, Menahan, Moore, L. Nelson, Nisbet, Patterson, Pavlovich, Quilici, Ramirez, Raney, Ream, Schye, Simon, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 56

Noes: Addy, Boharski, Campbell, Clark, Cobb, Cody, Cohen, Compton, Driscoll, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Harper, Hayne, Hoffman, Knapp, Koehnke, Lee, Mercer, R. Nelson, T. Nelson, O'Keefe, Owens, Peck, Peterson, Phillips, Rehberg, Rice, Roth, Russell, Simpkins, Spring, Swift, Swysgood, Thoft.

Total 40

Excused: Grady.

Total 1

Absent or not voting: Kadas, O'Connell, Smith.

Total 3

SB 200 - Representative Nisbet moved SB 200 be concurred in. Motion carried as follows:

Ayes: Addy, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Gould, Grinde, Hansen, Harrington, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Marks, McCormick, McDonough, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Spaeth, Squires, Stang, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 65

Noes: Aafedt, Bachini, Boharski, Campbell, Clark, Ellison, Giacometto, Gilbert, Glaser, Good, Guthrie, Hannah, Hanson, Harper, Hayne, Kasten, Knapp, Koehnke, Lee, Mercer, O'Keefe, Owens, Peck, Ramirez, Simpkins, Smith, Spring, Steppler, Stickney, Thomas, Zook.

Total 31

Excused: Grady.

Total 1

Absent or not voting: DeBruycker, Menahan, Patterson.

Total 3

SB 227 - Representative Cohen moved SB 227 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Gilbert, Gould, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, Rice, Russell, Schye, Simon, Smith, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 77

Noes: Cobb, Giacometto, Glaser, Good, Grinde, Guthrie, Hannah, Hanson, Marks, Phillips, Ramirez, Rehberg, Roth, Simpkins, Zook.

Total 15

Excused: Grady.

Total 1

Absent or not voting: Campbell, DeBruycker, Ellison, Kadas, L. Nelson, Patterson, Spring.

Total 7

SB 229 - Representative Pavlovich moved SB 229 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Campbell, Giacometto, Marks, Phillips, Ramirez.

Total 5

Excused: Grady.

Total 1

Absent or not voting: Spring.

Total 1

SB 258 - Representative Gould moved SB 258 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peterson, Quilici, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Wallin, Westlake, Whalen, Mr. Speaker.

Total 78

Noes: Bachini, Campbell, Cobb, Ellison, Giacometto, Grinde, Guthrie, Hannah, Kasten, O'Keefe, Peck, Phillips, Ramirez, Raney, Swysgood, Thoft, Thomas, Wyatt, Zook.

Total 19

Excused: Grady.

Total 1

Absent or not voting: Knapp, Spring.

Total 2

Representative Spring excused at this time.

SB 259 - Representative Harper moved SB 259 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton,

Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Glaser, Good, Gould, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: Campbell, Clark, Giacometto, Gilbert, Grinde, Guthrie, Hannah, Kasten, Thomas.

Total 9

Excused: Grady, Spring.

Total 2

Absent or not voting: Eudaily.

Total 1

Representative Harper moved the committee rise and report. Motion carried. Committee arose. House resumed. Speaker Pro Tempore Addy in the Chair. Chairman Iverson moved the adoption of the committee report. Report adopted. (92-2)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 340 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stepler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: D. Brown, Driscoll, O'Keefe, Patterson, Peck, Stang, Swysgood.

Total 7

Excused: Grady, Spring.

Total 2

Absent or not voting: Blotkamp, Eudaily.

Total 2

HB 603 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Gervais,

Giacometto, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Campbell, Ramirez.

Total 2

Excused: Grady, Spring.

Total 2

Absent or not voting: Blotkamp, Cobb, Ellison, Eudaily, Gilbert, Glaser.

Total 6

SB 43 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 82

Noes: Campbell, Cobb, DeBruycker, Glaser, Good, Gould, Grinde, Guthrie, Hanson, Marks, Phillips.

Total 11

Excused: Grady, Spring.

Total 2

Absent or not voting: Bardanoue, Blotkamp, Cohen, Eudaily, Patterson.

Total 5

SB 115 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanoue, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Kasten.

Total 1

Excused: Grady, Spring.

Total 2

Absent or not voting: Blotkamp, Cody.

Total 2

SB 179 concurred in as follows:

Ayes: Addy, Bachini, Bardanouve, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Compton, Connelly, Daily, Darko, Davis, DeMars, Eudaily, Gervais, Glaser, Gould, Grinde, Hansen, Hanson, Harper, Harrington, Hayne, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, Nisbet, O'Connell, Pavlovich, Peterson, Phillips, Ramirez, Raney, Ream, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 71

Noes: Aafedt, Campbell, Clark, Cobb, Cohen, DeBruycker, Driscoll, Elliott, Ellison, Giacometto, Gilbert, Good, Guthrie, Hannah, Hoffman, R. Nelson, T. Nelson, O'Keefe, Owens, Peck, Quilici, Rehberg, Thomas, Whalen.

Total 24

Excused: Grady, Spring.

Total 2

Absent or not voting: Blotkamp, Cody, Patterson.

Total 3

SB 233 concurred in as follows:

Ayes: Aafedt, Bachini, Bardanouve, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Keller, Kilpatrick, Kimberley, McCormick, McDonough, Menahan, Mercer, Moore, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 73

Noes: Addy, Campbell, Clark, Cobb, Elliott, Gilbert, Hannah, Kadas, Kasten, Knapp, Lee, Marks, L. Nelson, R. Nelson, T. Nelson, Peck, Peterson, Rice, Steppler, Swysgood.

Total 20

Excused: Grady, Spring.

Total 2

Absent or not voting: Blotkamp, Cody, DeBruycker, Koehnke, Patterson.

Total 5

SB 237 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Compton,

Connelly, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 87

Noes: DeBruycker, Gilbert, Lee, T. Nelson, Owens, Peterson.
Total 6

Excused: Grady, Spring.
Total 2

Absent or not voting: Blotkamp, Cody, Daily, Kadas, Simon.
Total 5

SB 280 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.
Total 92

Noes: Campbell, Kasten, Wyatt.
Total 3

Excused: Grady, Spring.
Total 2

Absent or not voting: Blotkamp, Cody, Good.
Total 3

SB 364 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: None.

Total 0

Excused: Grady, Spring.

Total 2

Absent or not voting: Blotkamp, Cody.

Total 2

SJR 6 concurred in as follows:

Ayes: Aafedt, Addy, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Connelly, Darko, Davis, DeMars, Driscoll, Eudaily, Gervais, Giacometto, Glaser, Gould, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 79

Noes: Bachini, Bardanouve, Compton, Daily, DeBruycker, Elliott, Ellison, Gilbert, Good, Guthrie, Iverson, Kasten, Lee, R. Nelson, T. Nelson, Peck, Swift.

Total 17

Excused: Grady, Spring.

Total 2

Absent or not voting: Blotkamp, Cody.

Total 2

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

3/8/89

Correctly enrolled: HB 13, HB 27, HB 121, HB 141, HB 178, HB 227.

Signed by the Speaker at 1:20 p.m., 3/8/89: HB 5, HB 29, HB 381.

Examined by the sponsors and found to be correct:

HB 13 - Quilici

HB 27 - Cody

HB 121 - Wallin

HB 141 - Phillips

HB 178 - Cody

HB 227 - Harrington

HB 381 - Menahan

BUSINESS AND ECONOMIC DEVELOPMENT (Pavlovich, Chairman):

3/8/89

SB 310, be concurred in. Report adopted.

JUDICIARY (D. Brown, Chairman):

3/8/89

SB 45, be concurred in. Report adopted.

SB 131, be concurred in. Report adopted.

SB 322, third reading copy, be amended as follows:

1. Title, line 5.

Strike: "PROVIDING"

Insert: "CLARIFYING"

2. Title, lines 6 and 7.

Strike: "AGAINST" on line 6 through "PRIVILEGE" on line 7
Insert: "MAY WAIVE THE JOURNALIST SOURCE PRIVILEGE
ONLY BY VOLUNTARILY DISCLOSING THE SOURCE"

3. Page 1, lines 11 and 12.
Following: "(1)" on line 11
Strike: "Dissemination, except"
Insert: "Except"

4. Page 1, line 12.
Following: "(2),"
Insert: "dissemination"

5. Page 1, line 19.
Strike: "waives"
Insert: "does not waive"

6. Page 1, line 20.
Following: "26-1-902"
Insert: "unless the person voluntarily discloses the source"

7. Page 1, lines 22 through 25.
Strike: subsection (3) in its entirety

And, as amended, be concurred in. Report adopted.

SB 333, be concurred in. Report adopted.

SB 338, be concurred in. Report adopted.

TAXATION (Harrington, Chairman):

3/8/89

SB 206, be concurred in. Report adopted.

SB 287, third reading copy, be amended as follows:

1. Page 2, line 3.
Following: "education."
Strike: "(1)"

2. Page 2, line 8.
Strike: "(a)"
Insert: "(1)"

3. Page 2, line 12.
Strike: "(b)"
Insert: "(2)"

4. Page 2.
Following: line 13
Strike: lines 14 through 17

5. Page 3, line 4.
Strike: "OR IN"
Insert: " , "

6. Page 3, line 5.
Following: "15-10-411"
Insert: " , or 15-10-412"

And, as amended, be concurred in. Report adopted.

MOTIONS

Representative Lee moved he be allowed to change his vote on SJR 6, third reading, from yes to no. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved the House adjourn until 12:30 p.m., Thursday, March 9, 1989.

Motion carried.

House adjourned at 3:07 p.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

FIFTY-FIFTH LEGISLATIVE DAY

Helena, Montana
March 9, 1989

House Chambers
State Capitol

House convened at 12:30 p.m., Speaker Pro Tempore Addy in the Chair. Invocation by Representative Hoffman. Pledge of Allegiance to the Flag.

Roll call. All members present except D. Brown, Moore, and Spring, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journals for the fiftieth and fifty-first legislative days, find the same to be correct.

Menahan, Chairman

SPECIAL ORDERS OF THE DAY

After being presented to the members of the House by Speaker Pro Tempore Addy, Attorney General Marc Racicot was escorted to the rostrum by Representatives Kasten and Whalen and gave the following address:

Mr. Speaker, Members of the House of Representatives, Ladies and Gentlemen.

I would like to sincerely thank Speaker of the House John Vincent for extending me the privilege of speaking to you today. I am grateful for the opportunity to come to this historic chamber and address this distinguished body.

The Attorney General of the State of Montana has two basic responsibilities — to administer the Department of Justice and to represent the State of Montana in its legal affairs.

As you know, in the last thirty years the center of gravity of governmental power has shifted somewhat, not only in Montana but across this nation, from the executive and legislative branches of government to the judiciary. Regardless of whether that shift of power was within the contemplation of the framers of our constitutions or not, and regardless of whether it has occurred with the consent of the people or not, the fact of the matter is that our courts are involved more today in the determination of public policy than ever before in our history. Recall, for a moment, the cases that have focused upon issues vitally important to Montana — cases that not only impact all of us economically, but also touch and shape our societal fabric. Coal severance taxes, stream access, tort liability, public school financing, the Board of Science and Technology — all decisions that control our destiny in some way were made by our courts and not by this legislature.

As a result, the State's law firm, embodied in the Office of the Attorney General, becomes, with each passing year and through its representation of the people of this state, more important to the ultimate determination of public policy in Montana.

I subscribe to the view, and I believe history supports me, that it is the legislative branch of government that should set the course of our public policy; that our courts are not as well equipped to reflect the collective will of a democratic people, and that they should refrain at every opportunity from going on judicial adventures into uncharted waters. Exercising judicial restraint and following precedent provide stability in the law by assuring that people in similar situations will be treated similarly. The

employment of those concepts also reserves the power to steer the ship of state to the executive and legislative branches of government, where it rightfully belongs.

That is the philosophy with which the Attorney General's office will defend the acts of the legislature before the courts of this state. Absent some extraordinary circumstances, your final actions and deliberations, regardless of whom or what they may offend or concern, will be defended aggressively.

It is my view, as well as that of many of your members that in the coming years and beyond, natural resource and hazardous waste litigation will dominate a large measure of the state's legal affairs. I am most hopeful and believe that negotiations will provide palatable solutions to the problems presently being confronted by the Reserved Water Rights Compact Commission in the ongoing discussions occurring between tribal and federal government entities over federal reserved water rights in the state of Montana.

In the Treasure State we have long been concerned with our natural resource development, trying to strike a balance between reasonable and progressive development and appropriate environmental protection. Rivaling our concern in those areas must be our concern over, perhaps, our most precious resource - our water.

We are going to experience legal difficulties in that regard with conflicts arising both inside and outside our borders. It is inevitable that at some time and place we will be confronted with litigation from other states challenging our ability to control the waters that flow through Montana. We must be prepared for those difficulties when they arise. As a modest step toward that preparation I have requested the placement of a water rights attorney within the Attorney General's office. Your Appropriations Committee has strongly endorsed and approved that request, and I urge you to do the same.

In addition to serving the people of Montana as the chief legal officer of the state, the Attorney General is the administrator of the Department of Justice. The Department consists of 560 employees serving in eight divisions and providing law enforcement and prosecutorial services to police and prosecutors across Montana. Without the Department of Justice, local law enforcement agencies would find it impossible to do their jobs. Fingerprint examination, forensic evaluations including autopsies, dangerous drug investigative assistance, criminal history information and law enforcement communications are all provided to local police and sheriff's offices by the Department of Justice. We are an essential partner with local law enforcement agencies in the never ending battle against crime. It is clear that the law enforcement community in Montana cannot assure the safety of our citizens without that strong, stable partnership. We have a very serious responsibility at the state level to provide those kinds of services that cannot be provided by local agencies. I am constrained to advise you that we are not living up to that obligation.

The Montana Highway Patrol is authorized to have 200 uniformed officers which, for several reasons, is twenty fewer officers than the Patrol had in 1973. At the present time there are sixteen vacancies — eight because the Patrol was not authorized the resources to train a large enough pool to secure replacements for those who have retired, and eight because it is necessary to keep positions vacant to make up for reductions in the budget due to vacancy savings.

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In 1988, Montana Highway Patrol officers travelled more than 5.7 million miles and were dispatched to 28,390 accidents, incidents, and other requests for service. During that same year, the Patrol's three communications centers received 134,819 phone calls and completed almost one million radio transmissions. Officers of the Patrol in 1988 made 138 drug-related arrests on Montana's highways and all of this was accomplished while operating with less than the authorized strength of 200 officers.

As I mentioned, in 1973 the Montana Highway patrol had twenty more sworn officers than it has today. Six counties in Montana do not presently have a resident patrol officer. Yet during this same fifteen year period the total miles travelled by the motoring public has increased thirty percent and the number of registered vehicles has increased by more than twenty-four percent. As a result when the average patrol officer checks into service, he or she is responsible for 1400 miles of roadway on each and every shift. Obviously it's an impossible task to patrol such an enormous amount of roadway with so few officers. We must be authorized to operate at full strength without the albatross of vacancy savings and inadequate recruit training deterring that process; and we must have at least one Montana Highway Patrol officer stationed in each county. I have presented those requests to your Appropriations Committee. The Committee, operating under the assumption that the abandonment of the concept of vacancy savings would allow the Patrol to operate at full strength, authorized increased recruit training that will provide a sufficient pool of replacements. That committee did not, however, authorize a requested increase of six officers made by the Department. I urge you to favorably consider that request.

The officers of the Montana Highway Patrol perform their duties alone on the highways of Montana at all hours of the day and night. While involved in their investigations they are frequently out of their vehicles and unable to maintain radio communications with their dispatch centers. Almost every law enforcement agency in the state of Montana, because of the threat to the safety of their officers and because of a very real need to maintain radio contact, equip their officers with hand-held radios. We do not provide the men and women of the Montana Highway Patrol with hand-held radios. To do so would cost \$140,000. The prevention of the death or serious injury of one of our citizens or patrol officers unquestionably is worth the investment.

The Montana Highway Patrol maintains a statewide communications system consisting of three 24-hour dispatch centers and fifty mountain-top radio sites. In addition the Patrol maintains 200 vehicles with radios, radar, sirens, and top-lights. The communications system, which is critical to our law enforcement and disaster and emergency services responsibilities, requires constant maintenance. Communications and electronic equipment must be installed on sixty-five to seventy new vehicles each year in addition to maintaining that same equipment on 130 other vehicles. Presently the Patrol utilizes two sergeants, the Engineering Bureau Chief, and another sergeant who is extracted from his normal patrol duties, to perform this function. They simply cannot do this job adequately. We have invested in an expensive communications system that is the lifeline of the Montana Highway Patrol and we do not have the resources to properly maintain it. Band-aids, bubble gum, and baling wire won't do. We desperately need two communications technicians, one in Billings and one in Missoula, to assist the Engineering Bureau Chief in the maintenance of that system.

A group of eleven western states, including Montana, have joined together to form the Western Identification Network (WIN). That network seeks to establish an interstate system for the electronic exchange of criminal fingerprint identification information between the member states. This will be accomplished through an Automated Fingerprint Identification System (AFIS), which is a computerized fingerprint data base consisting of sixteen million fingerprints and a searching system that provides almost instant identification of fingerprints. With the AFIS system law enforcement agencies can search a latent print against millions of file prints in a matter of minutes. Since the implementation of the AFIS system in San Francisco that city has reduced its burglary crime rate by thirty-nine percent.

Currently fingerprints retrieved from a crime scene in Montana are of little value unless there is an identifiable suspect. That is simply because it is impossible to manually check a latent print against the 80,000 prints maintained on file by our Identification Bureau. As an example, the suspect in the recent double homicide in Montana was eventually arrested and convicted through a combination of an excellent investigative effort and luck. There were unidentified fingerprints secured in that case, but without a suspect the prints could not be used for identification. With an AFIS system in place and assuming that the suspect has previously had his or her fingerprints taken and placed in that data base, the prints in such a case can be checked against the data base and an identification made within minutes.

Clearly AFIS has given law enforcement a tremendous capability that it has not had in the area of fingerprint identification. Unfortunately the Federal Bureau of Investigation does not have such a nationwide system and AFIS technology is expensive. As a result, there are two options available to the various states: implement a single-state system or join in a cooperative effort like the one being proposed by the Western Identification Network.

To initiate a single-state system can cost up to ten million dollars which is quite obviously outside our reach. However, the WIN network proposal is very much within our reach. The WIN proposal, which would cost the state of Montana approximately \$230,000 a year would enable Montana to take full advantage of the benefits of an automated fingerprint identification system at a fraction of the cost of acquiring our own system. In addition, Montana law enforcement agencies would have the advantage of accessing a much larger data base than if the State maintained its own system.

As you may or may not know, the illicit drug trade in this country makes over 100 billion dollars a year in profits. Cocaine is worth three times the price of gold. Its usage in Montana, according to a news report released this morning, has risen one hundred percent in the last five years. Marijuana remains the largest cash crop in America. We consume most of the world's dangerous drugs in this country, and, make no mistake about it, Montana is not without cause for alarm.

We share a 550 mile international border with Canada and occupy an area of 150,000 miles. Within that area and up until January 1988, we had nineteen full-time narcotics officers in Montana — one for every 10,000 square miles which is an area slightly smaller than the total area of the state of Vermont.

Drug trafficking continues to be a rising source of violence and other crime the impact of which goes far beyond the health consequences of

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using dangerous drugs. We have "crack" in Montana as well as gangs surveying our countryside for new markets.

It is patently clear that an unprecedented amount of serious crime is inseparably linked to the usage of dangerous drugs. A National Institute of Justice evaluation released a year ago revealed that over eighty percent of those arrested for robbery, burglary, and theft tested positive for cocaine use upon their arrest.

We have had drug-related murders recently in Montana in both Chinook and Billings — no area regardless of size is immune to the problem. We have had and do have South American and Mexican distribution organizations, in addition to interstate organizations, importing dangerous drugs to and through Montana. And what have we done about it?

Until January 1988, we had one state narcotics unit consisting of five agents operating in Billings and serving coal-impact counties. Since that unit began operations in July 1982, 574 major drug cases have resulted in the seizure of 5.5 million dollars worth of drugs.

In January 1988, a second state undercover unit with five agents became operational in Missoula because of the availability of federal funds through the Anti-Drug Abuse Act of 1988. In the first year of operation that unit initiated ninety major drug cases throughout the state which have resulted in the seizure of 2.2 million dollars worth of drugs and 143 prosecutions.

When one considers the fact that at least five million dollars per year is spent on traffic enforcement and regulation at the state level it is easy to see we have not made the same commitment to a more serious problem that will surely conquer us from within if we do not address it aggressively. The message is clear: you can pay now, or pay much more later to address an enormous array of broken dreams and lives produced by this scandalous plague.

We are in jeopardy of losing even the resources that we have to address this problem. The state must increase its match from twenty-five percent to fifty percent for the drug unit operating in Missoula in the second year of the biennium. That amounts to an increase of about \$115,000 and the Appropriations Committee has not authorized that expenditure. I strongly urge you to do so.

Depending upon what occurs with the Coal Board and funds allocated to it, the investigative unit located in Billings may or may not be in operation in the future.

As a consequence of these developments, I have requested that Senate Bill 308 be introduced to earmark a portion of the coal severance tax to be allocated to our drug investigative efforts. Passage of that bill would provide monies for the increased matching funds for the western drug unit, the eastern drug unit in Billings, and an intelligence section during the second year of the biennium to properly receive, process, coordinate, and disseminate information concerning organized criminal activity in the State of Montana. In the same way that you require detailed information to properly allocate resources and address problems effectively, we too must have that capability.

Local authorities have tried at every juncture to successfully fight the battle against drugs, but the resources they need to do the job are scarce. Effective drug investigations require specialized equipment, personnel, and money. By and large local authorities don't have all of those tools at their disposal. We have to hold on to the limited resources we have, creatively

exploit the resources already available, and redouble our efforts to provide effective and economical investigative assistance to local authorities. I plead with you to help us do that and to remember that ultimately the responsibility to address these problems rests here at your feet.

Unfortunately I am sure that you are aware, as I am aware, of the critical importance of the state crime lab to our criminal justice community. I have reviewed reports and analyzed the operation of the crime lab to determine the course we need to pursue to assure that competent, efficient, and accurate evaluations are performed at that facility. Eleven forensic scientists perform 66,000 analyses a year at the crime lab and errors committed there can be extremely detrimental to those who rely upon it. Reorganization of the laboratory must occur in order to assure that it properly performs the missions you have assigned it. That will require some legislation changing the organization structure and placing a supervisory manager in charge of that facility who will be responsible for the daily operation of the lab and will not be consumed by the continual process of scientific analysis that takes place. I intend to present the details of this plan to the Appropriations Subcommittee and ask that you carefully consider our proposal.

There are other law enforcement problems as well. Since the 1972 Legislature, gambling in Montana has grown exponentially — not only in terms of the types of gambling that are legal but in terms of the form of regulation and the revenue generated.

The 1972 Constitution stated that all gambling in Montana is illegal unless specifically authorized by the Legislature.

The Legislature has authorized bingo, live keno, live poker, a state lottery, pari-mutuel racing, sports pools, raffles, and calcuttas and video gambling machines.

In terms of the different types of gambling authorized, Montana is the third largest gambling state in the country, following only Nevada and New Jersey.

At this point in time approximately 250 million dollars in quarters are being fed into video gambling machines in Montana each year. Of that amount, 80 million dollars is the profit the gambling machine industry is realizing before taxes are paid. Of the taxes paid, 8 million dollars is being returned to local governments and 4 million dollars is going into the state general fund. Keep in mind that I am only discussing video gambling machine revenue. These figures do not include the revenue expended on any of the other forms of legal gambling in Montana — let alone the illegal gambling that takes place in this state.

How much money is wagered on live keno, bingo, and poker? How much on sports pools and calcuttas? The answer is, no one knows. The reason that no one knows is that these forms of gambling are regulated, as the case may be, by local governments.

There are two problems that exist in the regulation of what has become a very significant industry by local governments;

1. Small communities and counties do not have the resources to license and regulate gambling in their communities. As a result a lot of gambling goes unregulated.

2. Larger communities and counties, while taking a much more active role in the regulation of gambling, interpret the statutes much differently from jurisdiction to jurisdiction. That is why we see wedges and ledges,

punchboards and pull tabs, redball, bookmaking and other forms of illegal gambling across Montana.

What is the result of this gambling fragmentation around Montana? Two things come to mind:

1. Local governments are losing authorized tax revenue.
2. The legitimate gambling industry is having to compete with illegal gambling that otherwise would be available on a competitive basis.

Nobody benefits from the gambling fragmentation we have in Montana. With very few exceptions local control has not led to less gambling — legal or illegal — but more.

Gambling is not a local government issue. It is a Montana issue. Today it is a legislative issue. Trouble is attracted to gambling like sharks to a bloated body, and with the staggering amount of money involved in this enterprise, it is only a matter of time before we have a problem of gigantic proportion if we don't do something now. Senate Bill 431 addresses this gambling problem. Hopefully it will receive the support it needs to provide uniform, fair, and legal gambling in Montana.

The Speaker asked that I brief you on the drunk driving problem in Montana, and of course, I am happy to comply with his request.

Approximately one percent of the licensed drivers in Montana were convicted of driving under the influence in 1987. The average age of those convicted is thirty-three, but the age group with the largest percentage of convictions is twenty-one to twenty-five. Over eighty-five percent of all DUI arrests result in a conviction. Since 1981 the percentage of total accidents that are alcohol-related has steadily declined. Your efforts in that regard have been very successful. In 1981, twenty-two percent of all accidents were alcohol-related. In 1987, slightly more than sixteen percent of the total accidents were in that category. Alcohol-related traffic deaths have also declined from 211 in 1981 to 128 in 1987 which equates to a 39.3 percent reduction in alcohol-related fatalities. Although one death on our highways is too many, I believe your efforts to make driving on Montana's highways safer are producing positive results.

In this plea for help I have not included any hidden agendas, lofty ambitions, fanciful schemes, or unnecessary programs. I have presented my concerns to you honestly and without inflating them. I know and understand that you are under tremendous pressure to produce solutions to the complex problems that confront us. I know that finding the resources to fund necessary programs, especially in view of our education financing dilemma, are a source of constant strain and concern. I will support you in every way possible to address those problems, but I ask that in the course of this process you not ignore the law enforcement needs I have addressed. We cannot defer their consideration any longer.

I have proposed, in addition to Senate Bill 308, two other measures contained in House Bills 394 and 712 that will provide an estimated five million dollars in additional revenue over the biennium through the equalization of title and registration fees and an increase in the fee charged for motor vehicle record checks for various public and private enterprises. To fund each of the things I have mentioned to you here today would require 1.8 million dollars in additional revenue. I ask you to give us the tools we need to do the job.

I am confident you will proceed with the sense of honesty and fair play, and with candor and hard work to find answers to the problems that confront us all. I pledge my assistance and cooperation to both sides of the aisle as you undertake this most awesome responsibility. From my heart I thank you for this privilege and ask that God bless you all.

Attorney General Racicot then retired from the House chamber.

REPORTS OF STANDING COMMITTEES

Representatives Brooke, Clark, Cohen, Darko, Grinde, Hanson, Koehnke, Schye excused at this time.

BILLS (Menahan, Chairman):

3/9/89

Correctly printed: HB 589.

Correctly engrossed: SB 122, SB 229.

Correctly enrolled: HB 154, HB 168, HB 175, HB 182, HB 214, HB 235, HB 237, HB 281, HB 305, HB 459, HB 581.

Examined by the sponsors and found to be correct:

HB 154 - Smith

HB 168 - Lee

HB 175 - Hansen

HB 182 - Quilici

HB 214 - Smith

HB 235 - Spaeth

HB 237 - R. Nelson

HB 281 - Stickney

HB 305 - Russell

HB 459 - J. Brown

HB 581 - Iverson

Signed by the Speaker at 12:20 p.m., 3/9/89: HB 13, HB 27, HB 121, HB 141, HB 178, HB 227.

Delivered to the Governor for his approval at 9:05 a.m., 3/9/89: HB 5, HB 29, HB 381.

AGRICULTURE, LIVESTOCK, AND IRRIGATION (Bachini, Chairman):

3/9/89

SB 357, third reading copy, be amended as follows:

1. Page 4, line 13.

Strike: "1991"

Insert: "1990"

And, as amended, be concurred in. Report adopted.

HUMAN SERVICES AND AGING (Hansen, Chairman):

3/9/89

SB 289, be concurred in. Report adopted.

STATE ADMINISTRATION (J. Brown, Chairman):

3/9/89

SB 195, be concurred in and placed on consent calendar. Report adopted.

ADVERSE COMMITTEE REPORTS

HB 740 - Representative Ream moved the 3/8/89 adverse committee report on HB 740 be adopted.

Representative Daily made a substitute motion the adverse committee report be not adopted and HB 740 be printed and placed on second reading.

Representative Cody moved the previous question. Motion carried.

Representatives Brooke, Koehnke, and Schye present at this time.

The motion to not adopt the adverse committee report failed as follows:

Ayes: Addy, Blotkamp, D. Brown, Cobb, Cody, Connelly, Daily, Davis, DeBruycker, DeMars, Driscoll, Gervais, Good, Harper, Harrington, Johnson, Kilpatrick, Kimberley, Koehnke, Lee, McCormick, Menahan, O'Keefe, Pavlovich, Quilici, Russell, Schye, Simpkins, Spaeth, Squires, Stickney, Strizich, Wallin, Westlake, Whalen, Wyatt.

Total 36

Noes: Aafedt, Bachini, Bardanouve, Boharski, Bradley, Brooke, J. Brown, Campbell, Cocchiarella, Cohen, Compton, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Hayne, Hoffman, Iverson, Kadas, Kasten, Keller, Knapp, Marks, McDonough, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, Owens, Patterson, Peck, Peterson, Phillips, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Simon, Smith, Stang, Steppler, Swift, Swysgood, Thoft, Thomas, Zook, Mr. Speaker.

Total 59

Paired: D. Brown, Daily, Harper, Spaeth, Ayes; Cohen, Grinde, Hanson, Marks, Noes.

Excused: Clark, Darko, Moore, Spring.

Total 4

Absent or not voting: O'Connell.

Total 1

Thereupon, the adverse committee report was adopted as follows:

Ayes: Bachini, Bardanouve, Boharski, Bradley, Brooke, J. Brown, Campbell, Cocchiarella, Cody, Compton, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Knapp, Lee, Marks, McDonough, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, Patterson, Peck, Peterson, Phillips, Ramirez, Raney, Ream, Rehberg, Roth, Schye, Simon, Spaeth, Squires, Stang, Steppler, Stickney, Swift, Swysgood, Thoft, Thomas, Whalen, Zook, Mr. Speaker.

Total 64

Noes: Aafedt, Addy, Blotkamp, Cobb, Connelly, Daily, Davis, DeBruycker, Driscoll, Harper, Harrington, Kimberley, Koehnke, Menahan, Owens, Pavlovich, Quilici, Russell, Simpkins, Smith, Strizich, Wallin, Westlake, Wyatt.

Total 24

Excused: D. Brown, Clark, Cohen, Darko, Grinde, Hanson, Moore, Spring.

Total 8

Absent or not voting: McCormick, O'Connell, O'Keefe, Rice.

Total 4

SB 48 - Representative Ream moved the 3/8/89 adverse committee report on SB 48 be adopted. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily,

Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hansen, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Steppler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 82

Noes: Harper, Kadas, Kimberley, Menahan, Pavlovich, Peck, Raney, Stang, Swysgood.

Total 9

Excused: D. Brown, Clark, Cohen, Darko, Grinde, Hanson, Moore, Spring.

Total 8

Absent or not voting: Hannah.

Total 1

SB 252 - Representative McDonough moved the 3/7/89 adverse committee report on SB 252 be adopted. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Westlake, Wyatt, Zook, Mr. Speaker.

Total 84

Noes: Brooke, Mercer, Owens, Pavlovich, Stang, Wallin, Whalen.

Total 7

Excused: D. Brown, Clark, Cohen, Darko, Grinde, Hanson, Moore, Spring.

Total 8

Absent or not voting: O'Connell.

Total 1

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:

3/8/89

HB 133, introduced by Hayne
HB 190, introduced by Hanson
HB 348, introduced by Marks
HB 391, introduced by Driscoll
HB 423, introduced by Grady
HB 684, introduced by Grinde

House bills concurred in as amended and returned to the House for concurrence in Senate amendments:

3/8/89

HB 225, introduced by Squires
HB 242, introduced by Cobb
HB 243, introduced by Rice

HB 362, introduced by D. Brown

HB 658, introduced by Swysgood

House bill not concurred in and returned to the House: 3/8/89

HB 191, introduced by Stang

Senate bill returned by request of the House for further consideration:
3/8/89

SB 216, introduced by Manning

Senate bill passed and transmitted to the House for concurrence: 3/8/89

SB 431, introduced by Gage

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 762, introduced by Hansen, Moore, referred to Committee on Taxation

HB 763, introduced by Addy, Lynch, Devlin, Patterson, McLane, Squires, O'Connell, Gould, Cocchiarella, J. Brown, McDonough, Brooke, Darko, Wyatt, Manning, Harper, Vincent, Eck, Russell, Stickney, D. Brown, Hansen, Pavlovich, Jergeson, Quilici, Mazurek, Halligan, Peterson, Daily, Bishop, Bradley, Good, referred to Committee on Appropriations

HB 764, introduced by Raney, Rapp-Svrcek, referred to Committee on Taxation

HB 765, introduced by Vincent, Halligan, Connelly, Pipinich, Lynch, Nathe, Farrell, Harp, Rasmussen, Koehnke, Pavlovich, B. Brown, Brooke, Davis, Daily, Kilpatrick, Stickney, Russell, Spaeth, referred to Committee on Appropriations

HB 766, introduced by Driscoll, Harp, Giacometto, O'Keefe, Rehberg, Hoffman, Ellison, Harrington, Raney, Schye, Patterson, Stang, Hanson, Good, referred to Committee on Taxation

HB 767, introduced by Marks (by request of the Governor), referred to Committee on Taxation

HB 770, introduced by Menahan, Cocchiarella, Driscoll, Lynch, Halligan, O'Keefe, Harrington, Strizich, Grady, Ream, Vincent, Squires, Pipinich, Beck, Mazurek, Walker, Manning, Rasmussen, Harper, Jacobson, J. Brown, Rice, Van Valkenburg, Quilici, Kadas, Nisbet, Bradley, O'Connell, Pavlovich, Stang, referred to Select Committee on Employee Compensation

MOTIONS

Representative Raney moved the rules be suspended to permit the late drafting of a resolution. Motion carried.

Representative Schye moved SB 136 be taken from the second reading board this legislative day and rereferred to the Committee on Education and Cultural Resources. Motion carried.

Representative Swysgood moved consideration of HB 525 be passed until the 57th legislative day. Motion carried.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Daily in the Chair.

Speaker Pro Tempore: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Representative Hanson present at this time.

HB 742 - Representative Bradley moved HB 742 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: None.

Total 0

Excused: D. Brown, Clark, Cohen, Darko, Grinde, Moore, Spring.

Total 7

Absent or not voting: Bardanouve, Hannah, Hanson, Kadas, Marks.

Total 5

HB 750 - Representative Quilici moved HB 750 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Cocchiarella, Cody, Compton, Connelly, Daily, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: None.

Total 0

Excused: D. Brown, Clark, Cohen, Darko, Grinde, Moore, Spring.

Total 7

Absent or not voting: Cobb, Hansen, Kadas, Thomas.

Total 4

HB 58 - Representative Driscoll moved the Governor's amendments to HB 58 be not concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Cocchiarella, Cody, Compton, Connolly, Daily, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: Gould, Kadas.

Total 2

Excused: D. Brown, Clark, Cohen, Darko, Grinde, Moore, Spring.

Total 7

Absent or not voting: Cobb, Hayne.

Total 2

HB 159 - Representative R. Nelson moved Senate amendments to HB 159 be concurred in.

Representatives Clark, Darko, and Grinde present at this time.

Representative Cocchiarella made a substitute motion Senate amendments to HB 159 be not concurred in. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Cobb, Cocchiarella, Cody, Connolly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Gervais, Glaser, Grady, Grinde, Guthrie, Hansen, Harper, Harrington, Johnson, Kadas, Kimberley, Koehnke, McCormick, McDonough, Menahan, L. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Quilici, Raney, Ream, Russell, Schye, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 56

Noes: Aafedt, Campbell, Clark, Compton, DeBruycker, Ellison, Eudaily, Giacometto, Gilbert, Good, Gould, Hannah, Hanson, Hayne, Hoffman, Iverson, Kasten, Keller, Kilpatrick, Knapp, Lee, Marks, Mercer, R. Nelson, T. Nelson, Patterson, Peterson, Phillips, Ramirez, Rehberg, Rice, Roth, Simon, Simpkins, Smith, Swift, Swysgood, Thoft, Thomas, Zook.

Total 40

Excused: D. Brown, Cohen, Moore, Spring.

Total 4

Absent or not voting: None.

Total 0

HB 167 - Representative Stickney moved Senate amendments to HB 167 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: Swift.

Total 1

Excused: D. Brown, Cohen, Moore, Spring.

Total 4

Absent or not voting: Clark, Knapp, Nisbet, Owens, Ream, Thoft.

Total 6

HB 290 - Representative Giacometto moved Senate amendments to HB 290 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Campbell, Harper, O'Keefe.

Total 3

Excused: D. Brown, Cohen, Moore, Spring.

Total 4

Absent or not voting: Clark, Knapp, Nisbet.

Total 3

Representative Johnson excused at this time.

HB 431 - Representative Grady moved Senate amendments to HB 431 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T.

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Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Koehnke, Peck.

Total 2

Excused: D. Brown, Cohen, Johnson, Moore, Spring.

Total 5

Absent or not voting: Clark, Knapp.

Total 2

SB 77 - Representative Simpkins moved SB 77, as amended, be concurred in. Motion carried as follows:

Ayes: Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Cocchiarella, Connelly, Daily, Davis, DeMars, Driscoll, Ellison, Gervais, Giacometto, Gilbert, Good, Grady, Guthrie, Hanson, Harrington, Hayne, Hoffman, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough, Menahan, L. Nelson, R. Nelson, T. Nelson, O'Connell, O'Keefe, Pavlovich, Peck, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Simpkins, Spaeth, Squires, Steppler, Stickney, Swift, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 58

Noes: Aafedt, Cobb, Compton, Darko, DeBruycker, Elliott, Eudaily, Glaser, Gould, Grinde, Hannah, Hansen, Iverson, Kasten, Lee, Marks, Mercer, Nisbet, Owens, Patterson, Peterson, Phillips, Raney, Simon, Smith, Stang, Swysgood, Thoft, Thomas, Westlake.

Total 30

Excused: D. Brown, Cohen, Johnson, Moore, Spring.

Total 5

Absent or not voting: Bardanouve, Clark, Cody, Harper, Kadas, Schye, Strizich.

Total 7

Representative Bradley excused at this time.

SB 147 - Representative DeBruycker moved SB 147, third reading copy, be amended. Amendment failed. (43-50)

Representative Darko moved SB 147, be concurred in. Motion carried as follows:

Ayes: Addy, Blotkamp, Boharski, Brooke, J. Brown, Cobb, Cocchiarella, Cody, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Good, Gould, Grady, Grinde, Hannah, Hansen, Harper, Harrington, Hoffman, Iverson, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, L. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rice, Russell, Schye, Simon, Simpkins, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 66

Noes: Aafedt, Bachini, Campbell, Clark, Compton, DeBruycker, Giacometto, Gilbert, Glaser, Guthrie, Hanson, Hayne, Kasten, Koehnke,

Mercer, R. Nelson, T. Nelson, Owens, Patterson, Peck, Rehberg, Roth, Smith, Zook.

Total 24

Excused: Bradley, D. Brown, Cohen, Johnson, Moore, Spring.

Total 6

Absent or not voting: Bardanouve, Ellison, Kadas, Menahan.

Total 4

SB 284 - Representative Stang moved SB 284, third reading copy, be amended as follows:

1. Page 4, line 25 through page 5, line 16.

Strike: Sections 2 and 3 in their entirety

Renummer: subsequent sections

2. Page 6, line 8.

Following: "~~shall be~~"

Strike: "and [sections 2 and 3]"

3. Page 7, line 4.

Strike: "Sections" through "are"

Insert: "Section 2] is"

4. Page 7, line 7.

Strike: "sections" through "4"

Insert: "section 2"

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Brooke, J. Brown, Campbell, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: None.

Total 0

Excused: Bradley, D. Brown, Cohen, Johnson, Moore, Spring.

Total 6

Absent or not voting: Bardanouve, Clark, Cobb, Menahan.

Total 4

Representative Stang moved SB 284, as amended, be concurred in.
Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Brooke, J. Brown, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Kadas, Kasten, Keller, Kilpatrick, Kimberley,

Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.
Total 87

Noes: Campbell, Giacometto, Hannah.
Total 3

Excused: Bradley, D. Brown, Cohen, Johnson, Moore, Spring.
Total 6

Absent or not voting: Bardanoue, Clark, Menahan, Wyatt.
Total 4

SB 300 - Representative Ellison moved SB 300 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanoue, Boharski, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Pavlovich, Peck, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.
Total 88

Noes: None.
Total 0

Excused: Bradley, D. Brown, Cohen, Johnson, Moore, Spring.
Total 6

Absent or not voting: Blotkamp, Hannah, Menahan, O'Connell, Peterson, Wyatt.
Total 6

SB 320 - Representative Pavlovich moved SB 320 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanoue, Boharski, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, Owens, Patterson, Pavlovich, Peck, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.
Total 85

Noes: O'Keefe.
Total 1

Excused: Bradley, D. Brown, Cohen, Johnson, Moore, Spring.

Total 6

Absent or not voting: Blotkamp, Cody, Grinde, Hannah, Menahan, O'Connell, Peterson, Wyatt.

Total 8

Representative Cohen present at this time.

SB 323 - Representative Hansen moved SB 323 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Boharski, Brooke, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Glaser, Gould, Grinde, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Kadas, Kasten, Kilpatrick, Kimberley, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Patterson, Pavlovich, Peck, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Steppler, Stickney, Strizich, Swift, Thomas, Westlake, Whalen, Zook, Mr. Speaker.

Total 73

Noes: Campbell, Clark, Giacometto, Gilbert, Good, Guthrie, Keller, Marks, Owens, Phillips, Stang, Swysgood, Thoft, Wallin.

Total 14

Excused: Bradley, D. Brown, Johnson, Moore, Spring.

Total 5

Absent or not voting: Bardanouve, Blotkamp, Grady, Hannah, Knapp, O'Connell, Peterson, Wyatt.

Total 8

Representative Harper moved the committee rise and report. Motion carried. Committee arose. House resumed. Speaker Pro Tempore Addy in the Chair. Chairman Daily moved the adoption of the committee report. Report adopted. (79-3)

REPORTS OF STANDING COMMITTEES

BUSINESS AND ECONOMIC DEVELOPMENT (Pavlovich, Chairman):

3/9/89

SB 18, be concurred in. Report adopted.

SB 267, be concurred in. Report adopted.

SB 438, be concurred in. Report adopted.

SB 443, be concurred in. Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 33, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks,

McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.

Total 91

Noes: None.

Total 0

Excused: Bradley, D. Brown, Johnson, Moore, Spring.

Total 5

Absent or not voting: Bardanouve, Brooke, Grady, Wyatt.

Total 4

HB 89, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Bradley, D. Brown, Johnson, Moore, Spring.

Total 5

Absent or not voting: Bardanouve, Good, Grady.

Total 3

HB 155, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.

Total 91

Noes: Gervais, Wyatt.

Total 2

Excused: Bradley, D. Brown, Johnson, Moore, Spring.

Total 5

Absent or not voting: Bardanouve, Grady.

Total 2

HB 183, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.

Total 87

Noes: Giacometto, Hannah, Marks, Peck, Rehberg, Wyatt.

Total 6

Excused: Bradley, D. Brown, Johnson, Moore, Spring.

Total 5

Absent or not voting: Bardanouve, Grady.

Total 2

HJR 22, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Gilbert, Peck.

Total 2

Excused: Bradley, D. Brown, Johnson, Moore, Spring.

Total 5

Absent or not voting: Bardanouve, Grady.

Total 2

SB 5 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman,

Iverson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Bradley, D. Brown, Johnson, Moore, Spring.

Total 5

Absent or not voting: Bardanouve, Grady.

Total 2

SB 16 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Bradley, D. Brown, Johnson, Moore, Spring.

Total 5

Absent or not voting: Bardanouve, Grady.

Total 2

SB 21 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Guthrie, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Schye, Simon, Simpkins, Smith, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Whalen, Mr. Speaker.

Total 76

Noes: Brooke, Campbell, Clark, Driscoll, Gilbert, Grinde, Hanson, Koehnke, Marks, Peck, Phillips, Spaeth, Swysgood, Westlake, Wyatt, Zook.

Total 16

Excused: Bradley, D. Brown, Johnson, Moore, Spring.

Total 5

Absent or not voting: Bardanouve, Grady, Roth.

Total 3

SB 85 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Bradley, D. Brown, Johnson, Moore, Spring.

Total 5

Absent or not voting: Bardanouve, Grady.

Total 2

SB 118 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: DeBruycker, Gilbert, Hannah, Simpkins.

Total 4

Excused: Bradley, D. Brown, Johnson, Moore, Spring.

Total 5

Absent or not voting: Bardanouve.

Total 1

SB 122 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Kadas,

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Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Campbell, Gilbert.

Total 2

Excused: Bradley, D. Brown, Johnson, Moore, Spring.

Total 5

Absent or not voting: Bardanouve.

Total 1

SB 146 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Campbell, Grinde, Peck, Swysgood.

Total 4

Excused: Bradley, D. Brown, Johnson, Moore, Spring.

Total 5

Absent or not voting: Bardanouve.

Total 1

SB 157 concurred in as follows:

Ayes: Aafedt, Bachini, Blotkamp, Brooke, J. Brown, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Good, Gould, Grady, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Smith, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 82

Noes: Addy, Boharski, Campbell, Clark, Cobb, DeBruycker, Gilbert, Glaser, Grinde, Hannah, R. Nelson, Simpkins.

Total 12

Excused: Bradley, D. Brown, Johnson, Moore, Spring.

Total 5

Absent or not voting: Bardanouve.

Total 1

SB 181 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Boharski.

Total 1

Excused: Bradley, D. Brown, Johnson, Moore, Spring.

Total 5

Absent or not voting: Bardanouve, Marks, Phillips.

Total 3

SB 183 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Brooke, J. Brown, Campbell, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Cobb, Grinde, Roth.

Total 3

Excused: Bradley, D. Brown, Johnson, Moore, Spring.

Total 5

Absent or not voting: Bardanouve, Clark.

Total 2

SB 189 failed to be concurred in as follows:

Ayes: Bachini, Blotkamp, Brooke, J. Brown, Cocchiarella, Connelly, Daily, Darko, Davis, DeMars, Elliott, Gervais, Hansen, Harrington, Kadas, Keller, Kilpatrick, McCormick, McDonough, L. Nelson, Nisbet, O'Connell, Phillips,

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Quilici, Ramirez, Raney, Ream, Schye, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Wallin, Westlake, Wyatt, Mr. Speaker.

Total 38

Noes: Aafedt, Addy, Boharski, Campbell, Clark, Cobb, Cody, Cohen, Compton, DeBruycker, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Harper, Hayne, Hoffman, Iverson, Kasten, Kimberley, Knapp, Koehnke, Lee, Marks, Menahan, Mercer, R. Nelson, T. Nelson, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Swift, Swysgood, Thoft, Thomas, Whalen, Zook.

Total 55

Excused: Bradley, D. Brown, Johnson, Moore, Spring.

Total 5

Absent or not voting: Bardanouve, Smith.

Total 2

SB 200 concurred in as follows:

Ayes: Addy, Blotkamp, Brooke, J. Brown, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Ellison, Eudaily, Gervais, Glaser, Gould, Grady, Grinde, Guthrie, Harrington, Hayne, Hoffman, Kadas, Kasten, Keller, Kilpatrick, Kimberley, McCormick, McDonough, Menahan, T. Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Phillips, Quilici, Raney, Ream, Russell, Schye, Simon, Simpkins, Spaeth, Squires, Stang, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 58

Noes: Aafedt, Bachini, Boharski, Campbell, Clark, DeBruycker, Elliott, Giacometto, Gilbert, Good, Hannah, Hanson, Harper, Kasten, Knapp, Koehnke, Lee, Marks, Mercer, L. Nelson, R. Nelson, O'Keefe, Owens, Peck, Peterson, Ramirez, Rehberg, Rice, Roth, Smith, Steppler, Stickney, Thomas, Zook.

Total 34

Excused: Bradley, D. Brown, Johnson, Moore, Spring.

Total 5

Absent or not voting: Bardanouve, Cohen, Hansen.

Total 3

SB 227 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Good, Gould, Grady, Grinde, Hansen, Harper, Harrington, Hayne, Hoffman, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, Rice, Russell, Schye, Simon, Smith, Spaeth, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 80

Noes: Giacometto, Glaser, Guthrie, Hannah, Hanson, Marks, Phillips, Ramirez, Rehberg, Roth, Simpkins.

Total 11

Excused: Bradley, D. Brown, Johnson, Moore, Spring.

Total 5

Absent or not voting: Bardanouve, Campbell, Iverson, Steppler.

Total 4

SB 229 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Iverson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 85

Noes: Campbell, DeBruycker, Good, Grinde, Kasten, Phillips, Ramirez.

Total 7

Excused: Bradley, D. Brown, Johnson, Moore, Spring.

Total 5

Absent or not voting: Bardanouve, Hoffman, Koehnke.

Total 3

SB 258 concurred in as follows:

Ayes: Aafedt, Addy, Blotkamp, Boharski, Brooke, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Glaser, Good, Gould, Grady, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, Rice, Roth, Russell, Schye, Simon, Smith, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Wallin, Westlake, Whalen, Zook, Mr. Speaker.

Total 72

Noes: Bachini, Campbell, Clark, Giacometto, Gilbert, Grinde, Guthrie, Hannah, Hayne, Kasten, Koehnke, Owens, Peck, Ramirez, Rehberg, Swift, Swysgood, Thoft, Thomas, Wyatt.

Total 20

Excused: Bradley, D. Brown, Johnson, Moore, Spring.

Total 5

Absent or not voting: Bardanouve, Ellison, Simpkins.

Total 3

SB 259 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Glaser, Gould, Grady, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Kadas, Keller, Kilpatrick, Kimberley, Lee, Marks, McCormick, McDonough, Menahan, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell,

O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.
Total 79

Noes: Campbell, Compton, Giacometto, Gilbert, Grinde, Guthrie, Hannah, Kasten, Knapp, Koehnke, Mercer, Peck, Thomas, Zook.
Total 14

Excused: Bradley, D. Brown, Johnson, Moore, Spring.
Total 5

Absent or not voting: Bardanouve, Good.
Total 2

Representative Bradley present at this time.

MOTIONS

Representative Hannah moved he be allowed to change his vote on SB 122, third reading, from no to yes. Motion carried.

Representative Harper moved the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 87. Motion carried.

Speaker Pro Tempore Addy noted Speaker Vincent appointed the following members:

Representative Kilpatrick, Chairman
Representative Russell
Representative Good

Representative Rice moved he be allowed to change his vote on SB 200, third reading, from yes to no. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved the House adjourn until 1:00 p.m., Friday, March 10, 1989.

Motion carried.

House adjourned at 3:00 p.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

FIFTY-SIXTH LEGISLATIVE DAY

Helena, Montana
March 10, 1989

House Chambers
State Capitol

House convened at 1:00 p.m., Mr. Speaker in the Chair. Invocation by Representative Gervais. Pledge of Allegiance to the Flag.

Roll call. All members present except D. Brown, DeMars, Gould, R. Nelson, Quilici, Spring, and Thomas, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

3/10/89

Correctly engrossed: HB 742, HB 750, SB 284.

Examined by the sponsors and found to be correct:

HB 80 - Strizich

HB 226 - Stickney

HB 341 - McCormick

HB 461 - Ream

HB 484 - Hannah

Signed by the Speaker at 11:30 a.m., 3/9/89: HB 154, HB 168, HB 182, HB 214, HB 235, HB 237, HB 281, HB 305.

Signed by the Speaker at 4:00 p.m., 3/9/89: HB 175, HB 459, HB 581.

Signed by the Speaker at 10:00 a.m., 3/10/89: SB 8, SB 14, SB 23, SB 24, SB 75, SB 110, SB 151, SB 174, SB 251.

Delivered to the Governor for his approval at 2:40 p.m., 3/9/89: HB 13, HB 27, HB 121, HB 141, HB 154, HB 168, HB 178, HB 182, HB 214, HB 227, HB 235, HB 237, HB 281, HB 305.

BUSINESS AND ECONOMIC DEVELOPMENT (Pavlovich, Chairman):

3/9/89

SB 182, third reading copy, be amended as follows:

1. Page 2, line 20.

Following: "~~functions~~"

Insert: "an organic or emotional impairment that has substantial adverse effects on an individual's cognitive or volitional functions and that is"

And, as amended, be concurred in. Report adopted.

SB 303, third reading copy, be amended as follows:

1. Title, line 7.

Strike: "AGENTS"

Insert: "BUSINESSES"

2. Title, lines 8 and 9.

Following: "PENALTIES"

Strike: remainder of line 8 through "REQUIREMENT" on line 9

3. Page 1, line 15.

Strike: "agents"

Insert: "businesses"

4. Page 1, line 18.

Following: "those"

Strike: "who"

Insert: "businesses that"

5. Page 2, line 7.

Strike: "Agents"
Insert: "Businesses"

6. Page 3, lines 12 through 14.
Strike: subsection (4) in its entirety
Renumber: subsequent subsections

7. Page 3, line 19.
Strike: "agent"
Insert: "business"

8. Page 4, lines 10 and 11.
Following: "companies"
Strike: remainder of line 10 through "days" on line 11

9. Page 5, lines 1 and 2.
Following: "(2)" on line 1
Strike: remainder of line 1 through "days." on line 2

10. Page 5, line 12.
Strike: "escrow agents"
Insert: "persons"

11. Page 6, line 1.
Strike: "escrow agent's"

12. Page 6, line 5.
Strike: "as an escrow agent"

13. Page 6, line 8.
Strike: "agent's"
Insert: "business"

14. Page 6, lines 13 and 14.
Strike: "and his residence address"

15. Page 7, line 3.
Strike: "agent's"
Insert: "business"

16. Page 7, line 9.
Strike: "agent"
Insert: "business"

17. Page 7, line 16.
Strike: "agent"
Insert: "business"

18. Page 9, line 4.
Strike: "(a)"
Following: "shall"
Insert: "perform one of the following:

(a)"

19. Page 9, lines 13 through 17.
Strike: lines 13 through 17
Insert: "(b) request that the director examine the financial condition, transactions, and affairs of the licensee pursuant to procedures prescribed by the director."

20. Page 10, line 8.
Strike: "agent"

Insert: "business"

21. Page 10, line 11.

Strike: "agent"

Insert: "business"

22. Page 10, line 17.

Strike: "agent"

Insert: "business"

23. Page 10, line 18.

Strike: "agent"

Insert: "business"

24. Page 10, line 20.

Strike: "agent"

Insert: "business"

25. Page 10, line 22.

Strike: "agent"

Insert: "business"

26. Page 10, line 22.

Strike: "are"

Insert: "is"

27. Page 10, line 25.

Strike: "agent"

Insert: "business"

28. Page 11, line 4.

Strike: "agent"

Insert: "business"

29. Page 11, line 25.

Strike: "agents"

Insert: "businesses"

30. Page 12, line 6.

Strike: "agents"

Insert: "businesses"

31. Page 12, line 10.

Following: "person"

Insert: "is not a licensed"

Strike: "agent"

Insert: "business license"

32. Page 13, line 16.

Strike: "his"

Insert: "the licensee's"

33. Page 13, line 21.

Strike: "agent"

Insert: "business"

34. Page 14, line 3.

Strike: "agent"

Insert: "business"

35. Page 14, lines 6 and 7.

Following: "the"

Strike: "escrow agent's"

Insert: "licensee's"

36. Page 14, line 8.

Strike: "agent"

Insert: "business"

37. Page 16, lines 3 through 5.

Strike: section 17 in its entirety

Renumber: subsequent sections

And, as amended, be concurred in. Report adopted.

SB 351, third reading copy, be amended as follows:

1. Page 8, line 17.

Following: "penalty"

Insert: "— extension permissible"

2. Page 10, line 25.

Following: "may"

Strike: " "

3. Page 10, line 25, through page 11, line 2.

Following: "~~penalty~~" on line 25

Strike: remainder of line 25 through "investments" on line 2

Insert: "abate the penalty"

4. Page 11, line 7.

Following: line 6

Insert: "(4) The department of revenue may grant an extension of time in which to make qualified investments pursuant to subsection (1) upon application by a capital company showing reasonable cause for an extension."

Renumber: subsequent subsection

And, as amended, be concurred in. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Schye, Chairman):

3/10/89

HB 510, introduced bill, be amended as follows:

1. Title, lines 6 and 7.

Following: "ATTEND"

Strike: remainder of line 6 through "SYSTEM" on line 7

Insert: "ACCREDITED MONTANA UNIVERSITIES, COLLEGES, COMMUNITY COLLEGES, AND VOCATIONAL-TECHNICAL UNITS"

2. Page 1, lines 14 and 15.

Following: "attend"

Strike: remainder of line 14 through "system" on line 15

Insert: "accredited Montana universities, colleges, community colleges, and vocational-technical units"

3. Page 1, lines 18 and 19.

Following: "attend"

Strike: remainder of line 18 through "system" on line 19

Insert: "accredited Montana universities, colleges, community colleges, and vocational-technical units"

4. Page 1, lines 21 and 22.

Following: "at"

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Strike: remainder of line 21 through "system" on line 22

Insert: "accredited Montana universities, colleges, community colleges, and vocational-technical units"

5. Page 2, lines 14 through 18.

Strike: subsection (2) in its entirety

Renumber: subsequent subsections

6. Page 2, line 19.

Strike: ""Educational costs""

Insert: ""Costs of attendance""

7. Page 2, line 21.

Strike: "commuting,"

Following: "books,"

Insert: "supplies,"

Strike: "other reasonable expenses"

Insert: "transportation"

8. Page 2, line 22.

Following: "institution"

Insert: ", as determined by the eligible institution for other campus-based financial aid"

9. Page 2, line 23.

Following: "public"

Insert: "or independent"

10. Page 2, lines 24 and 25.

Following: "education"

Strike: remainder of line 24 through "board" on line 25

Insert: "located in Montana and accredited by the northwest association of schools and colleges"

11. Page 3.

Following: line 14

Insert: "(9) "Written essay" means an essay submitted by an eligible student, the contents, criteria, and submission procedures for which are established by the board."

12. Page 3, lines 16 and 17.

Strike: "Each"

Insert: "A"

Following: "scholarship"

Strike: remainder of line 16 through "attend" on line 17

Insert: "may not exceed the costs of attendance established at"

13. Page 3, line 18.

Following: "enrolled"

Insert: "provided that the cost does not exceed the cost of attending a unit of Montana's university or vocational-technical system"

14. Page 3, line 19.

Strike: "educational"

Following: "costs"

Insert: "of attendance"

15. Page 3, line 21.

Strike: "not"

16. Page 3, line 22 through page 4, line 1.

Following: "scholarships"

Strike: remainder of page 3 through "enforced" on page 4, line 1

Insert: "that would result in an overpayment of financial aid as determined by the eligible institution's financial aid office"

17. Page 4, lines 6 and 7.

Following: "to"

Strike: remainder of line 6 through "system" on line 7

Insert: "an accredited college or university"

18. Page 4, line 9.

Following: "eligible"

Strike: "unit of the"

Insert: "college or"

Following: "university"

Strike: "system"

19. Page 4, lines 11 and 12.

Following: "(c)"

Strike: remainder of lines 11 through 12

Insert: "meets an extraordinarily high standard on a submitted written essay;"

20. Page 4, line 14.

Strike: "educational"

Following: "costs"

Insert: "of attendance"

21. Page 4, lines 22 and 23.

Following: "(c)"

Strike: remainder of lines 22 through 23

Insert: "meets an extraordinarily high standard on a submitted written essay;"

22. Page 4, line 25.

Strike: "educational"

Following: "costs"

Insert: "of attendance"

23. Page 5.

Following: line 2

Insert: "(3) A scholarship to a community college may be awarded to an eligible student who:

(a) is accepted for enrollment as a full-time student at an eligible community college;

(b) achieves an extraordinary high school record;

(c) meets an extraordinarily high standard on a submitted written essay;

(d) signs an affidavit stating that the scholarship will be used for costs of attendance only; and

(e) complies with applicable rules and regulations adopted by the board pursuant to [sections 3 through 9]."

Renumber: subsequent subsection

24. Page 5, line 3.

Following: "shall"

Insert: "select and the governor shall"

Following: "award"

Strike: "four"

Insert: "three university system"

Following: "scholarships"

Insert: ", one community college scholarship,"

25. Page 6, line 13.

Following: "the"

Strike: "competitive examination"

Insert: "content, criteria, and submission procedures for the written essay"

26. Page 7, lines 2 and 3.

Following: "administrator"

Strike: remainder of line 2 through "necessary" on line 3

And, as amended, do pass. Report adopted.

SJR 15, third reading copy, be amended as follows:

1. Title, line 7.

Following: "TRAINING"

Strike: "IN ELEMENTARY SCHOOLS OF"

Insert: "FOR SCHOOL-AGE CHILDREN IN"

2. Page 2, lines 3 and 4.

Following: "training"

Strike: remainder of line 3 through "schools" on line 4

Insert: "for school-age children"

3. Page 2, line 10.

Strike: "(1)"

4. Page 2, lines 11 and 12.

Strike: "inclusion" on line 11

Insert: "provision"

Following: "training"

Strike: remainder of line 11 through line 12

Insert: "for school-age children in Montana through cooperation between school districts and appropriate local organizations that represent the shooting and sporting community in Montana. The cooperation should include:

(1) the dissemination of information on firearms safety;

(2) information on the availability of firearms safety training programs offered by the appropriate local organizations; and

(3) an offer by school districts of use of a school facility during after-school hours for any firearms safety training program offered by an appropriate local organization that represents the shooting and sporting community."

5. Page 2, line 13, through page 4, line 4.

Strike: subsections (2) through (4)

And, as amended, be concurred in. Report adopted.

SJR 16, third reading copy, be amended as follows:

1. Page 3, lines 10 through 12.

Following: "to" on line 10

Strike: remainder of line 10 through "to" on line 12

And, as amended, be concurred in. Report adopted.

FISH AND GAME (Ream, Chairman):

3/9/89

SB 56, be concurred in. Report adopted.

SB 294, be concurred in. Report adopted.

Adverse Committee Report

SB 240, be not concurred in.

JUDICIARY (D. Brown, Chairman):

3/10/89

SB 22, be concurred in. Report adopted.

SB 79, be concurred in. Report adopted.

3/9/89

SB 145, be concurred in. Report adopted.

3/10/89

SB 293, third reading copy, be amended as follows:

3/9/89

1. Page 3, line 1.

Following: "ethnic"

Insert: "identity or"

And, as amended, be concurred in. Report adopted.

SB 331, third reading copy, be amended as follows:

1. Page 33, line 18.

Following: "(3)"

Insert: "(b)"

And, as amended, be concurred in. Report adopted.

SB 377, third reading copy, be amended as follows:

1. Title, line 7.

Strike: "SECTION"

Insert: "SECTIONS"

Following: "44-12-102"

Insert: "AND 44-12-203"

2. Page 3, line 7.

Strike: "all"

Insert: "that specific portion of"

3. Page 3, line 8.

Strike: "the whole of"

4. Page 3, line 9.

Following: "that is"

Insert: "directly"

5. Page 3, line 12.

Following: "from"

Insert: "or that is derived from or maintained by the proceeds resulting from"

6. Page 3, lines 15 and 16.

Strike: "the owner" on line 15 through "without" on line 16

Insert: "unless it is proved that the act or omission was the owner's or was with"

7. Page 3, line 16.

Following: "his"

Insert: "actual"

Following: "knowledge or"

Insert: "express"

8. Page 4.

Following: line 11

Insert: "Section 2. Section 44-12-203, MCA, is amended to read:

"44-12-203. Presumption — procedure following answer or expiration of time for answering. (1) There is a rebuttable presumption of forfeiture as to all property listed in 44-12-102, except property listed in 44-12-102(1)(i).

(2) If a verified answer to the petition is not filed within 20 days after the service of the petition and summons, the court upon motion must order the property forfeited to the state.

(3) If a verified answer is filed within 20 days, the forfeiture proceedings shall be set for hearing without a jury not less than 60 days after the answer is filed. Notice of the hearing shall be given in the manner provided for service of the petition and summons.""

And, as amended, be concurred in. Report adopted.

SB 417, be concurred in. Report adopted.

LOCAL GOVERNMENT (Darko, Chairman):

3/9/89

SB 119, be concurred in. Report adopted.

SB 317, third reading copy, be amended as follows:

1. Title, line 6.

Strike: "2"

Insert: "2.5"

Following: "ARE"

Insert: "NOT"

2. Page 1, line 16.

Strike: "2"

Insert: "2.5"

And, as amended, be concurred in. Report adopted.

SB 370, be concurred in. Report adopted.

SB 413, third reading copy, be amended as follows:

1. Page 2, line 7.

Following: "purchase"

Insert: ", or engaged in the business of purchasing articles of personal property and reselling or agreeing to resell the articles to the vendors or their assigns at prices agreed on at or before the time of purchase"

And, as amended, be concurred in. Report adopted.

TAXATION (Harrington, Chairman):

3/9/89

HJR 13, introduced bill, be amended as follows:

1. Page 2, line 9.

Strike: "\$377,357,000 \$369,008,000 \$380,150,000"

Insert: "\$402,470,000 \$390,016,000 \$405,866,000"

2. Page 2, line 10.

Strike: "\$287,217,000 \$252,855,000 \$258,635,000"

Insert: "\$278,427,000 \$255,786,000 \$262,304,000"

3. Page 3.

Following: line 7

Strike: lines 8 through 11 in their entirety

4. Page 3, line 12.

Strike: "\$34.428 31.000 29.633 30.833"

Insert: "\$36.879 31.796 32.000 32.000"

5. Page 3, line 13.

Strike: "\$7.769 \$7.687 \$7.780 \$7.780"

Insert: "\$7.385 \$7.360 \$7.460 \$7.410"

6. Page 3, line 14.

Strike: "\$5.800 \$4.357 \$2.764 \$1.842"

Insert: "\$6.479 \$4.133 \$2.552 \$0.949"

7. Page 3, line 15.

Strike: "134.612 128.290 113.990 114.773"

Insert: "158.442 140.951 117.079 —"

8. Page 3, line 16.

Strike: "0.264 0.302 0.300 0.302"

Insert: "0.302 0.309 0.291 —"

9. Page 3, line 17.

Strike: "5.981 5.954 6.079 6.121"

Insert: "6.341 6.902 6.922 —"

10. Page 3, line 18.

Strike: "15.400 15.400 15.400 15.506"

Insert: "16.330 16.330 16.330 —"

11. Page 3, line 19.

Strike: "53.000 53.000 53.000 53.364"

Insert: "40.449 40.449 40.449 —"

12. Page 3, line 20.

Strike: "11.426 11.898 12.157"

Insert: "12.954 12.514 —"

13. Page 3, line 21.

Strike: "0.160 0.183"

Insert: "0.137 —"

14. Page 3, line 22.

Strike: "0.047 0.054"

Insert: "0.041 —"

15. Page 3, line 23.

Strike: "\$0.850 \$0.850 \$0.600 \$0.625"

Insert: "\$0.900 \$0.750 \$0.750 —"

16. Page 3, line 24.

Strike: "\$450.000 \$450.000"

Insert: "\$400.000 —"

17. Page 3, line 25.

Strike: "\$5.900 \$6.250 \$6.500 \$6.500"

Insert: "\$6.350 \$6.500 \$6.000 —"

18. Page 4, line 3.

Strike: "\$0.320 \$0.320 \$0.320 \$0.320"

Insert: "\$0.360 \$0.400 \$0.400 —"

19. Page 4, line 4.

Strike: "\$0.430 \$0.420 \$0.420 \$0.420"
Insert: "\$0.650 \$0.700 \$0.700 —"

20. Page 4, line 5.

Following: "\$3.200 \$3.300 \$3.300"

Strike: "\$3.300"

Insert: "—"

21. Page 4, line 6.

Strike: "\$123.830 \$124.400 \$124.400 \$124.400"

Insert: "\$124.000 \$124.000 \$124.000 —"

22. Page 4, line 7.

Strike: "\$537.500"

Insert: "\$550.000"

Following: "\$537.000 \$550.000"

Strike: "\$550.000 \$550.000"

Insert: "\$525.000 —"

23. Page 4, line 8.

Following: "\$6.500"

Strike: "\$6.892 \$5.689 \$5.391"

Insert: "\$8.239 \$6.006 \$5.743"

24. Page 4, line 9.

Strike: "812.000 816.000 821.000 826.000"

Insert: "804.000 809.000 815.000 819.000"

25. Page 4, line 12.

Following: "4.140%"

Strike: "4.650% 4.850% 5.320%"

Insert: "4.700% 4.700% 3.650%"

26. Page 4.

Following: line 12

Strike: lines 13 and 14 in their entirety

27. Page 4, line 15.

Strike: "CY"

Insert: "FY"

Following: "7.500%"

Strike: "7.500% 7.100% 6.800%"

Insert: "8.500% 8.000% 8.000%"

28. Page 4, line 16.

Strike: "CY"

Insert: "FY"

Following: "10.140%"

Strike: "9.000% 8.750% 8.750%"

Insert: "9.750% 10.000% 10.000%"

29. Page 4, line 18.

Following: "\$222.374"

Strike: "\$190.993 \$204.377 \$205.489"

Insert: "\$248.000 \$251.214 \$247.573"

30. Page 4, line 19.

Following: "\$56.000 \$0.000"

Strike: "\$0.000 \$0.000"

Insert: "\$51.000 \$62.000"

31. Page 4, line 25.

Following: "\$10.300"

Strike: "\$11.000 \$11.500 \$12.000"

Insert: "\$11.100 \$11.600 \$12.100"

32. Page 4.

Following: line 25

Insert: "CY MT Nonfarm Labor Income (Billions)

\$6.300 \$6.600 \$7.000 \$7.500

CY U.S. Corporate Profits Before Taxes (Billions)

\$299.200 \$314.600 \$330.800 —"

33. Page 5, line 3.

Strike: "275.500 277.100 278.600 280.400"

Insert: "279.000 280.700 282.200 284.100"

34. Page 5, line 5.

Strike: "\$39.233 \$48.120 \$58.079 \$69.383"

Insert: "\$49.434 \$60.631 \$73.180 \$87.423"

35. Page 5, line 6.

Strike: "\$546.698 \$559.286 \$581.776 \$641.576"

Insert: "\$548.793 \$572.479 \$595.605 \$643.962"

36. Page 5, line 7.

Strike: "\$5.890 \$6.350 \$6.750 \$7.175"

Insert: "\$7.421 \$8.001 \$8.505 \$9.041"

37. Page 5, line 8.

Following: "\$9.203"

Strike: "\$7.000"

Insert: "\$8.000"

38. Page 5, line 9.

Following: "5.094"

Strike: "4.723 4.379 4.060"

Insert: "4.789 4.741 4.741"

39. Page 5, line 10.

Following: "0.180"

Strike: "0.160 0.142 0.126"

Insert: "0.161 0.154 0.154"

40. Page 5, line 11.

Strike: "\$4.644 \$4.700 \$4.758 \$4.816"

Insert: "\$8.340 \$8.530 \$8.720 \$8.920"

41. Page 5, line 12.

Strike: "\$3.161 \$3.328 \$3.471 \$3.619"

Insert: "\$5.690 \$5.940 \$6.210 \$6.490"

42. Page 5, line 13.

Strike: "-5.100% -5.310% -1.900% -1.250%"

Insert: "-5.101% -2.000% -1.000% 0.000%"

43. Page 5, line 14.

Following: "72.909"

Strike: "69.194 65.956 63.033"

Insert: "73.422 73.422 73.422"

44. Page 5, line 15.

Following: "\$6.152"

Strike: "\$6.315 \$6.469"

Insert: "\$6.312 \$6.472"

45. Page 5, line 16.

Following: "\$410.315"

Strike: "\$360.798 \$309.763"

Insert: "\$366.410 \$330.941"

46. Page 5, line 17.

Following: "\$1,594.619"

Strike: "\$1,532.599 \$1,534.301 \$1,540.088"

Insert: "\$1,532.635 \$1,536.598 \$1,551.253"

47. Page 5, line 22.

Following: "18,007.053"

Strike: "18,835.723 19,384.688 19,610.710"

Insert: "19,860.115 17,805.115 17,805.115"

48. Page 5, line 23.

Following: "\$8.745"

Strike: "\$8.727 \$8.905 \$9.151"

Insert: "\$10.514 \$9.550 \$9.980"

49. Page 5, line 24.

Following: "\$1.939"

Strike: "\$1.972"

Insert: "\$1.976"

Following: "\$1.943"

Strike: "\$1.997"

Insert: "\$1.996"

50. Page 5, line 25.

Following: "0.697"

Strike: "0.689 0.691 0.698"

Insert: "0.690 0.690 0.700"

51. Page 6, line 3.

Following: "\$22.357"

Strike: "\$21.477 \$20.308 \$21.460"

Insert: "\$21.527 \$23.418 \$24.400"

52. Page 6, line 4.

Following: "5.812"

Strike: "5.634 5.423 5.219"

Insert: "5.206 4.962 4.962"

53. Page 6, line 5.

Following: "\$7.684"

Strike: "\$10.660 \$10.766 \$10.874"

Insert: "\$12.372 \$12.495 \$12.620"

54. Page 6, line 6.

Following: "\$32.173"

Strike: "\$34.300 \$37.138 \$40.376"

Insert: "\$33.000 \$36.000 \$38.000"

55. Page 6, line 7.

Following: "\$16.117"

Strike: "\$15.807 \$16.104 \$16.554"

Insert: "\$16.898 \$16.184 \$16.729"

56. Page 6, line 9.

Insert: "FY Per Capita Lottery Sales"

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\$26.20 \$17.09 \$17.09 \$17.09"

57. Page 6, line 13.

Strike: "\$141.114000 \$139.170000 \$148.077000"

Insert: "\$150.536000 \$149.351000 \$159.894000"

58. Page 6, line 14.

Strike: "28.694000 28.855000 29.010000"

Insert: "30.184000 29.932000 30.165000"

59. Page 6, line 15.

Strike: "8.918000 7.235000 6.249000"

Insert: "9.115000 7.237000 6.412000"

60. Page 6, line 16.

Following: "13.536000"

Strike: "14.439000 13.836000"

Insert: "13.165000 12.613000"

61. Page 6, line 17.

Strike: "14.324000 14.920000 14.282000"

Insert: "21.080000 20.097000 19.806000"

62. Page 6, line 18.

Strike: "38.444000 37.760000 38.977000"

Insert: "40.839000 40.612000 42.484000"

63. Page 6, line 19.

Strike: "39.002000 35.913000 37.510000"

Insert: "39.720000 36.540000 38.646000"

64. Page 6, line 22.

Strike: "3.623000 3.153000 2.680000"

Insert: "3.524000 3.714000 3.942000"

65. Page 6, line 23.

Strike: "4.998000 4.691000 4.402000"

Insert: "5.188000 5.252000 5.370000"

66. Page 6, line 24.

Strike: "8.727000 8.905000 9.151000"

Insert: "10.514000 9.550000 9.980000"

67. Page 6, line 25.

Strike: "3.691000 4.145000 3.595000"

Insert: "4.242000 4.336000 3.703000"

68. Page 7, line 2.

Strike: "3.389000 3.488000 3.528000"

Insert: "3.632000 3.221000 3.221000"

69. Page 7, line 6.

Strike: "1.143000 0.999000 1.035000"

Insert: "1.100000 1.000000 1.100000"

70. Page 7, line 7.

Strike: "1.181000 1.117000 1.180000"

Insert: "1.184000 1.288000 1.342000"

71. Page 7, line 8.

Strike: "0.901000 0.868000 0.835000"

Insert: "0.833000 0.794000 0.794000"

72. Page 7, line 9.

Strike: "22.509000 23.096000 23.723000"

Insert: "24.080000 23.673000 24.314000"

73. Page 7, line 10.

Strike: "\$377.357000 \$369.008000 \$380.150000"

Insert: "\$402.470000 \$390.016000 \$405.866000"

74. Page 7, line 16.

Strike: "77.104000 76.042000 80.908000"

Insert: "82.252000 81.604000 87.365000"

75. Page 7, line 17.

Strike: "11.209000 11.271000 11.332000"

Insert: "11.791000 11.692000 11.783000"

76. Page 7, line 18.

Strike: "9.781000 1.736000"

Insert: "9.997000 1.781000"

77. Page 7, line 19.

Strike: "32.465000 33.485000 34.353000"

Insert: "32.496000 33.699000 34.770000"

78. Page 7, line 20.

Strike: "23.524000 22.686000 23.494000"

Insert: "20.955000 17.119000 17.404000"

79. Page 7, line 21.

Strike: "0.825000 0.926000 1.148000"

Insert: "0.848000 1.564000 1.831000"

80. Page 7, line 22.

Strike: "24.650000"

Insert: "9.732000"

81. Page 7, line 24.

Strike: "\$179.558000 \$146.420000 \$152.971000"

Insert: "\$168.071000 \$147.688000 \$154.934000"

82. Page 7, line 25.

Strike: "1942.914000 1899.969000 1869.831000"

Insert: "1942.950000 1903.008000 1882.194000"

83. Page 8, line 3.

Strike: "87.431000 85.499000 84.142000"

Insert: "87.433000 85.635000 84.699000"

84. Page 8, line 4.

Following: "Transportation"

Strike: "-3.717000"

Insert: "-4.419000"

85. Page 8, line 5.

Strike: "1.566000 2.487000 3.126000"

Insert: "3.737000 2.604000 2.955000"

86. Page 8, line 6.

Following: "Funds"

Strike: "1.465000"

Insert: "1.163000"

87. Page 8, line 7.

Following: "Grazing"

Strike: "0.102000"

Insert: "0.108000"

88. Page 8, line 8.

Following: "Revenue"

Strike: "4.310000"

Insert: "4.213000"

89. Page 8, line 9.

Following: "Tuition"

Strike: "-0.838000"

Insert: "-0.759000"

90. Page 8, line 10.

Strike: "\$90.319000 \$89.308000 \$88.590000"

Insert: "\$91.476000 \$89.561000 \$88.976000"

91. Page 8, line 12.

Strike: "16.113000 15.756000 15.507000"

Insert: "17.487000 17.127000 16.940000"

92. Page 8, line 13.

Strike: "1.227000 1.371000 1.567000"

Insert: "1.393000 1.410000 1.454000"

93. Page 8, line 14.

Strike: "\$17.340000 \$17.127000 \$17.074000"

Insert: "\$18.880000 \$18.537000 \$18.394000"

94. Page 8, line 15.

Strike: "\$287.217000 \$252.855000 \$258.635000"

Insert: "\$278.427000 \$255.786000 \$262.304000"

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:

3/9/89

HB 97, introduced by Kilpatrick**HB 114**, introduced by Gervais**HB 116**, introduced by McDonough**HB 142**, introduced by Cobb**HB 189**, introduced by Rice**HB 201**, introduced by Spaeth**HB 265**, introduced by Strizich**HB 276**, introduced by Patterson**HB 360**, introduced by Connelly**HB 405**, introduced by Schye**HB 487**, introduced by McDonough**HB 675**, introduced by Spaeth

House bills concurred in as amended and returned to the House for concurrence in Senate amendments:

3/9/89

HB 177, introduced by J. Brown**HB 409**, introduced by Good**HB 454**, introduced by Connelly

House bills not concurred in and returned to the House:

3/9/89

HB 11, introduced by Bradley

HB 705, introduced by Hannah

The Senate, on 3/9/89, acceded to the request of the House and appointed a conference committee to meet with a like committee from the House to confer on HB 87.

President Galt appointed the following members:

Senator Harp, Chairman
Senator Jenkins
Senator Halligan

**FIRST READING AND COMMITMENT
OF BILLS AND RESOLUTIONS**

The following House bills were introduced, read first time, and referred to committees:

HB 768, introduced by Addy, Marks, Beck, Blaylock, Whalen, Iverson, Grady, Bengtson, Wallin, Bradley, Thomas, Boylan, Vincent, Manning, Kimberley, Vaughn, Connelly, Gervais, Spaeth, Kadas, Eck, Williams, Weeding, Lynch, Harper, Nisbet, J. Brown, Rehberg, referred to Committee on Appropriations

HB 769, introduced by Elliott, Schye, Patterson, Kasten, Cobb, T. Nelson, Rapp-Svrcek, referred to Committee on Agriculture, Livestock, and Irrigation

HB 771, introduced by Daily, Menahan, Pavlovich, Harrington, referred to Committee on Taxation

MOTIONS

Representative Patterson and Swysgood excused at this time.

Representative Pavlovich moved consideration of Senate amendments to HB 362 be passed for the day. Motion carried.

Representative Rice moved consideration of SB 338 be passed until the 58th legislative day. Motion carried.

Representative Iverson moved consideration of SB 406 be passed until the 58th legislative day. Motion carried.

Representative Wallin moved the rules be suspended to permit the late drafting and introduction of a resolution. Motion carried.

Representative Ream moved the rules be suspended to permit the late drafting and introduction of a committee resolution.

Representative Harper moved the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 159. Motion carried.

Speaker Vincent appointed the following members:

Representative Cocchiarella, Chairman
Representative Peck
Representative R. Nelson

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Roth in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 589 - Representative Hoffman moved HB 589, second reading copy, be amended as follows:

1. Page 3, line 6.
Following: "proposed"
Insert: "or existing"
2. Page 3, line 8.
Following: "proposed"
Insert: "or existing"
3. Page 3, line 11.
Following: "establish"
Insert: "or repeal"
4. Page 3, line 13.
Following: "proposed"
Insert: "or existing"

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stepler, Stickney, Strizich, Swift, Thoft, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.
Total 81

Noes: Driscoll, Ramirez, Stang, Whalen.
Total 4

Excused: D. Brown, DeMars, Gould, R. Nelson, Patterson, Quilici, Spring, Swysgood, Thomas.
Total 9

Absent or not voting: Bardanouve, Blotkamp, Harrington, Hoffman, Kadas, Lee.
Total 6

Representatives R. Nelson and Swysgood present at this time.

Representative Hoffman moved HB 589, second reading copy, be amended as follows:

1. Page 2, line 14.
Following: "municipality,"
Strike: "and"
2. Page 2.
Following: line 16
Insert: "(b) has a population of less than 4,500 according to the most recent federal census or federal estimate; and"
Renumber: subsequent subsections

Amendment passed as follows:

Ayes: Aafedt, Boharski, J. Brown, Campbell, Clark, Cobb, Cohen, Compton, DeBruycker, Eudaily, Giacometto, Gilbert, Glaser, Grady, Guthrie, Hannah, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, Mercer, Moore, R. Nelson, T. Nelson, O'Keefe, Owens, Patterson, Phillips, Ramirez, Rehberg, Rice, Roth, Simpkins, Smith, Stang, Stickney, Swift, Swysgood, Thoft, Wallin, Zook.
Total 52

Noes: Addy, Bardanouve, Blotkamp, Bradley, Brooke, Cocchiarella, Cody, Connelly, Daily, Darko, Davis, Driscoll, Elliott, Gervais, Good, Grinde, Hansen, Johnson, McCormick, McDonough, Menahan, L. Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Raney, Ream, Russell, Schye, Simon, Spaeth, Squires, Stepler, Strizich, Whalen, Wyatt, Mr. Speaker.
Total 39

Paired: Patterson, Aye; Menahan, No.

Excused: D. Brown, DeMars, Gould, Quilici, Spring, Thomas.
Total 6

Absent or not voting: Bachini, Ellison, Westlake.
Total 3

Representative O'Keefe moved HB 589, second reading copy, be amended. Amendment failed. (23-69)

Representative L. Nelson excused at this time.

Representative Hoffman moved HB 589, as amended, do pass. Motion failed. (32-62)

Representative Westlake excused at this time.

HB 225 - Representative Squires moved Senate amendments to HB 225 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McDonough, Menahan, Mercer, Moore, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.
Total 84

Noes: Campbell, Guthrie, McCormick.
Total 3

Excused: D. Brown, DeMars, L. Nelson, Patterson, Quilici, Spring, Thomas, Westlake.
Total 8

Absent or not voting: Bardanouve, Bradley, Good, Kadas, Owens.
Total 5

HB 242 - Representative Cobb moved Senate amendments to HB 242 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: None.

Total 0

Excused: D. Brown, DeMars, L. Nelson, Patterson, Quilici, Spring, Thomas, Westlake.

Total 8

Absent or not voting: Bardanouve, Boharski, Good, Kadas, Owens.

Total 5

HB 243 - Representative Rice moved Senate amendments to HB 243 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: None.

Total 0

Excused: D. Brown, DeMars, L. Nelson, Patterson, Quilici, Spring, Thomas, Westlake.

Total 8

Absent or not voting: Bardanouve, Giacometto, Kadas, Owens.

Total 4

HB 658 - Representative Swysgood moved Senate amendments to HB 658 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Simon, Simpkins, Smith, Spaeth,

Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 84

Noes: None.

Total 0

Excused: D. Brown, DeMars, L. Nelson, Patterson, Quilici, Spring, Thomas, Westlake.

Total 8

Absent or not voting: Bardanouve, Good, Hansen, Kadas, Kilpatrick, Owens, Roth, Schye.

Total 8

Representative Quilici present at this time.

Representative Cohen excused at this time.

SB 340 - Representative Marks moved SB 340 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Compton, Connelly, Daily, Darko, DeBruycker, Driscoll, Ellison, Eudaily, Gervais, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McDonough, Menahan, Mercer, Moore, T. Nelson, O'Connell, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Whalen, Zook.

Total 75

Noes: Bardanouve, Cobb, Cody, Davis, Elliott, Giacometto, Gilbert, Hansen, Koehnke, McCormick, R. Nelson, Nisbet, O'Keefe, Schye, Steppler, Wallin, Wyatt, Mr. Speaker.

Total 18

Paired: D. Brown, Aye; Hansen, No.

Excused: Cohen, DeMars, L. Nelson, Patterson, Spring, Thomas, Westlake.

Total 7

Absent or not voting: None.

Total 0

Representative Marks excused at this time.

SB 33 - Representative Ream moved SB 33 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Bradley, Brooke, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, R. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Swift, Thoft, Wallin, Whalen, Wyatt, Mr. Speaker.

Total 80

Noes: Boharski, Campbell, Giacometto, Good, Hannah, Swysgood, Zook.

Total 7

Paired: Cohen, Aye; Giacometto, No.

Excused: D. Brown, DeMars, Marks, L. Nelson, Patterson, Spring, Thomas, Westlake.

Total 8

Absent or not voting: Bardanouve, Cobb, Kadas, O'Connell, Owens.

Total 5

Representatives Peck, Grady, and Owens excused at this time.

SB 45 - Representative Rice moved SB 45 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, R. Nelson, T. Nelson, O'Connell, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 84

Noes: None.

Total 0

Excused: D. Brown, Cohen, DeMars, Grady, Marks, L. Nelson, Owens, Patterson, Peck, Spring, Thomas, Westlake.

Total 12

Absent or not voting: Bardanouve, Cobb, Kadas, Nisbet.

Total 4

Representative Owens present at this time.

SB 61 - Representative Stang moved SB 61 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cocchiarella, Cody, Connelly, Daily, Darko, Davis, DeBruycker, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, R. Nelson, T. Nelson, O'Connell, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Whalen, Zook, Mr. Speaker.

Total 81

Noes: Ream, Wyatt.

Total 2

Excused: D. Brown, Cohen, DeMars, Grady, Marks, L. Nelson, Patterson, Peck, Spring, Thomas, Westlake.

March 10, 1989

Total 11

Absent or not voting: Bardanouve, Cobb, Compton, Nisbet, Owens, Ramirez.

Total 6

SB 73 - Representative Campbell moved SB 73 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 86

Noes: Good.

Total 1

Excused: D. Brown, Cohen, DeMars, Grady, Marks, L. Nelson, Patterson, Peck, Spring, Thomas, Westlake.

Total 11

Absent or not voting: Bardanouve, Cobb.

Total 2

Representatives Patterson and Peck present at this time.

SB 81 - Representative Harper moved consideration of SB 81 be passed for the day. Motion carried.

SB 84 - Representative Cody moved SB 84 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: None.

Total 0

Excused: D. Brown, Cohen, DeMars, Grady, Marks, Spring, Thomas, Westlake.

Total 8

Absent or not voting: Bardanouve, Kimberley.

Total 2

Representative Harper moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Roth moved the adoption of the committee report. Report adopted. (89-0)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 167, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: None.

Total 0

Excused: D. Brown, Cohen, DeMars, Grady, Marks, Spring, Thomas, Westlake.

Total 8

Absent or not voting: Bardanouve, Grinde, Kadas.

Total 3

HB 290, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Guthrie, Hannah, Hansen, Hanson, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 86

Noes: Campbell, Harper, O'Keefe.

Total 3

Excused: D. Brown, Cohen, DeMars, Grady, Marks, Spring, Thomas, Westlake.

Total 8

Absent or not voting: Bardanouve, Grinde, Kadas.

Total 3

HB 431, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: Koehnke, Peck.

Total 2

Excused: D. Brown, Cohen, DeMars, Grady, Marks, Spring, Thomas, Westlake.

Total 8

Absent or not voting: Bardanouve, Eudaily, Grinde.

Total 3

SB 147 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 81

Noes: Campbell, Clark, DeBruycker, Guthrie, Hanson, Kasten, Koehnke, Patterson, Roth.

Total 9

Excused: D. Brown, Cohen, DeMars, Grady, Marks, Spring, Thomas, Westlake.

Total 8

Absent or not voting: Bardanouve, Grinde.

Total 2

SB 300 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Connelly, Daily, Darko, Davis, DeBruycker, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens,

Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: Driscoll.

Total 1

Excused: D. Brown, Cohen, DeMars, Grady, Marks, Spring, Thomas, Westlake.

Total 8

Absent or not voting: Bardanoue, Compton, Giacometto, Grinde.

Total 4

SB 320 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Gould, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 85

Noes: Driscoll, Giacometto, Knapp, O'Keefe.

Total 4

Excused: D. Brown, Cohen, DeMars, Grady, Marks, Spring, Thomas, Westlake.

Total 8

Absent or not voting: Bardanoue, Good, Grinde.

Total 3

SB 323 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Hannah, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Schye, Simon, Smith, Spaeth, Squires, Stepler, Stickney, Strizich, Thoft, Whalen, Wyatt, Zook, Mr. Speaker.

Total 74

Noes: Campbell, Clark, Cobb, Good, Guthrie, Hayne, Knapp, Owens, Phillips, Rice, Simpkins, Stang, Swift, Swysgood, Wallin.

Total 15

Excused: D. Brown, Cohen, DeMars, Grady, Marks, Spring, Thomas, Westlake.

Total 8

Absent or not voting: Bardanouve, Grinde, Koehnke.
Total 3

MOTIONS

Representative Hansen moved the House reconsider its action on SB 189 taken on third reading the previous legislative day. Motion failed. (42-50)

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 3/10/89
Correctly enrolled: HB 80, HB 226, HB 341, HB 421, HB 461, HB 484.

Examined by the sponsor and found to be correct:

HB 421 - R. Nelson

Signed by the Speaker at 2:00 p.m., 3/10/89: HB 80, HB 226, HB 341, HB 421, HB 461, HB 484.

Signed by the Speaker at 2:30 p.m., 3/10/89: SB 11, SB 12, SB 30, SB 31, SB 37, SB 38, SB 41, SB 123, SB 177, SJR 7, SJR 8.

Delivered to the Governor for his approval at 9:20 a.m., 3/10/89: HB 175, HB 459, HB 581.

LABOR AND EMPLOYMENT RELATIONS (Russell, Chairman): 3/10/89
SB 218, be concurred in. Report adopted.
SB 278, be concurred in. Report adopted.

STATE ADMINISTRATION (J. Brown, Chairman): 3/10/89
SB 95, be concurred in. Report adopted.
SB 286, third reading copy, be amended as follows:

1. Title, line 14.

Following: "ON"

Insert: "PROPERLY QUALIFIED"

2. Title, lines 14 and 15.

Strike: "AND" on line 14 through "ISSUE" on line 15

3. Page 1, line 25 through page 2, line 2.

Strike: "THE" on page 1, line 25 through "OR" on page 2, line 2

4. Page 2, lines 21 and 22.

Strike: "limiting" on line 21 through "election and" on line 22

5. Page 2, line 25 through page 3, line 1.

Strike: "limiting" on page 2, line 25 through "election and" on page 3, line 1

And, as amended, be concurred in. Report adopted.

SB 297, third reading copy, be amended as follows:

1. Page 1, line 12.

Following: "(1)"

Insert: "(a)"

2. Page 1, line 16.

Strike: "for publication"

3. Page 1, line 18.

Strike: "shall"

Insert: "must"

4. Page 1, lines 18 and 19.

Strike: "for" on line 18 and "publication" on line 19

5. Page 1.

Following: line 19

Insert: "(b) For an audit report of a local government entity provided for in 2-7-503(1)(a) or (1)(b), the department shall send to the appropriate newspaper a copy of a summary of significant findings regarding the audit report. The summary, which may not exceed 800 words, must be prepared by the auditing agency or firm and contain a statement indicating that it is only a summary and is not intended to be used as an audit report."

6. Page 1, line 20.

Strike: "The" through "a"

Insert: "For an audit report of a local government entity provided for in 2-7-503(1)(a) or (1)(b), a newspaper is required to publish only:

(a) the"

7. Page 1, lines 21 and 22.

Strike: ", not" on line 21 through "firm" on line 22

Insert: "provided for in subsection (1)(b);"

8. Page 1, line 22.

Following: "and"

Insert: "(b)"

9. Page 1, line 25.

Strike: "A" through "the"

Insert: "For an"

10. Page 2, lines 1 and 2.

Strike: "within" on line 1 through "2-7-503" on line 2

Insert: "provided for in 2-7-503(1)(c) through (1)(h), the newspaper"

11. Page 2, line 2.

Strike: "contain"

Insert: "publish"

12. Page 2, line 3.

Following: "(2)"

Insert: "(b)"

13. Page 2, line 7.

Strike: "statement"

Insert: "statements"

14. Page 2, line 8.

Strike: "shall"

Insert: "must"

And, as amended, be concurred in. Report adopted.

SB 356, third reading copy, be amended as follows:

1. Title, line 11.

Following: "10-2-101"

Insert: ", 10-2-401, 10-2-403, 10-2-501,"

2. Page 1, line 16.

Strike: "part"

Insert: "chapter"

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3. Page 1, line 22.

Strike: “, including”

Insert: “. The term includes”

4. Page 1.

Following: line 25

Insert: “Section 2. Section 10-2-401, MCA, is amended to read:

“10-2-401. Location and function of home — persons admitted. The institution at Columbia Falls is the “Montana veterans’ home” and as its primary function provides home and subsistence for ~~honorably discharged~~ veterans. The department of institutions may also admit spouses or surviving spouses of ~~honorably discharged~~ veterans to the home if space allows.”

Section 3. Section 10-2-403, MCA, is amended to read:

“10-2-403. Eligibility for residence in home. To be eligible for residence in the Montana veterans’ home under ~~the regulations~~ rules prescribed by the department of institutions, a person must be ~~an honorably discharged~~ a veteran or the spouse or surviving spouse of a veteran ~~who served in the armed forces of the United States~~. Consideration must also be given to:

- (1) the person’s age;
- (2) the person’s physical and mental status;
- (3) the person’s ability or inability to locate suitable alternative accommodations;
- (4) the person’s term of residence in Montana;
- (5) the person’s gender as it relates to availability of appropriate living space;
- (6) the ability of the Montana veterans’ home to meet the person’s needs; and
- (7) ~~such~~ other admission requirements ~~as may be~~ established by the department.”

Section 4. Section 10-2-501, MCA, is amended to read:

“10-2-501. Burial allowance for military. (1) The board of commissioners of each county in this state shall designate a person in the county, preferably ~~an honorably discharged serviceman or service-~~ woman a veteran, as veterans’ burial supervisor.

(2) The veterans’ burial supervisor shall cause to be decently interred the body of any ~~serviceman or service-~~ woman veteran who is a resident of the state of Montana ~~and either:-~~

~~(a) served in any branch of the armed services of the United States, was honorably discharged, and may hereafter die;-~~

~~(b) is now serving and dies while so serving;-~~

~~(c) died while in service during any declared or undeclared war; or~~

~~(d) is a resident of the Montana veterans’ home at time of death.~~

(3) ~~Such~~ The burial ~~shall may~~ not be made in any burial grounds or cemetery or in any portion of any burial grounds or cemetery used exclusively for the burial of pauper dead.

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(4) A sum not to exceed \$250 to defer burial ~~expense shall expenses~~ must be paid by the county commissioners of the county in which the deceased veteran was ~~an actual~~ a bona fide resident at the time of death.

(5) The burial benefits ~~hereof~~ are not available in the case of any ~~decedent~~ veteran whose executor, administrator, or heirs waive the benefits.

(6) Whenever burial is of a resident of the Montana veterans' home, a sum not to exceed \$250 to defer burial expenses ~~shall must~~ be paid by the county commissioners of the county in which the ~~deceased person~~ veteran resided prior to admittance to the Montana veterans' home.

(7) If a ~~person qualified under subsection (2)(a)~~ veteran dies while temporarily absent from the state or county of residence, the provisions of this section apply and the burial expenses not exceeding the amount ~~herein~~ specified shall in this section must be paid in the same manner as ~~above~~ provided in this section.

(8) Whenever a ~~person qualified under subsection (2)(a)~~ veteran dies at any public institution of the state of Montana, other than the Montana veterans' home, and burial for any cause is not made in the county of the former residence of the ~~deceased veteran~~, the officers of the state institution shall provide the proper burial ~~herein~~ prescribed in this section. The reimbursement for the expense of each burial may not exceed \$250. The expense ~~shall must~~ be paid by the county in which the ~~decedent~~ veteran resided at the time of entry into ~~such the~~ the institution.

(9) ~~No such~~ A burial may not be covered by any special or standing contract whereby the cost of burial is reduced below the maximum ~~hereinbefore~~ amount fixed in this section, to the disparagement of proper interment."

Renumber: subsequent section

5. Page 3.

Following: line 12

Insert: "NEW SECTION. Section 6. Extension of authority. Any existing authority to make rules on the subject of the provisions of [this act] is extended to the provisions of [this act].

NEW SECTION. Section 7. Code commissioner instruction. Whenever the terms "serviceman or servicewoman", "deceased person", "deceased", or "deceased's" appear in Title 10, chapter 2, part 5, the code commissioner shall change the term to "veteran" or "veteran's".

And, as amended, be concurred in. Report adopted.

SB 395, third reading copy, be amended as follows:

1. Page 2, line 11.

Following: "of"

Insert: "or the authorized sale or disposal of equipment purchased with"

And, as amended, be concurred in. Report adopted.

Adverse Committee Report

SB 9, be not concurred in.

SB 86, be not concurred in.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved the House adjourn until 8:00 a.m., Saturday, March 11, 1989.

Motion carried.

House adjourned at 3:15 p.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

FIFTY-SEVENTH LEGISLATIVE DAY

Helena, Montana
March 11, 1989

House Chambers
State Capitol

House convened at 8:00 a.m., Speaker Pro Tempore Addy in the Chair. Invocation by Representative Swift. Pledge of Allegiance to the Flag.

Roll call. All members present except Brooke, D. Brown, R. Nelson, Ream, Spring, Stang, Strizich, and Thomas, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 3/11/89
Correctly printed: HB 510, HJR 13.
Correctly engrossed: SB 340.

TAXATION (Harrington, Chairman): 3/10/89
HB 111, introduced bill, be amended as follows:

1. Title, line 7.
Strike: "\$1.10"
Insert: "75 CENTS"
2. Title, line 8.
Following: "DATE"
Insert: ", AN APPLICABILITY DATE, AND A TERMINATION DATE"
3. Page 1, line 18.
Strike: "\$1.10"
Insert: "75 cents"
4. Page 2, line 7.
Following: "date"
Insert: "— applicability"
Following: "."
Insert: "(1)"
5. Page 2, line 8.
Following: "."
Insert: "(2) [This act] applies to vehicles that must be registered or reregistered at any time during the period beginning July 1, 1989, through June 30, 1990.

NEW SECTION. Section 3. Termination. [This act] terminates July 1, 1990."

And, as amended, do pass. Report adopted.

SB 65, third reading copy, be amended as follows:

1. Title, line 13.
Strike: "AND"
Insert: ","
Following: "APPLICABILITY DATE"
Insert: ", AND A DELAYED APPLICABILITY DATE"
2. Page 2, line 10.
Following: "capped"
Insert: "interpreted to mean that the actual tax liability for an individual property is capped"
3. Page 2, line 14.

Following: "~~unit~~."

Insert: "In tax years thereafter, the property must be taxed in each taxing unit at the 1986 cap or the product of the taxable value and mills levied, whichever is less for each taxing unit."

4. Page 3, line 6.

Following: "OR"

Insert: "a"

5. Page 3, line 7.

Strike: "STUDIES"

Insert: "study"

6. Page 3, line 14.

Following: "(a)"

Insert: "a revaluation caused by: (i)"

7. Page 3, line 15.

Following: ",'"

Insert: "or

(ii) cyclical reappraisal or a sales assessment ratio study;"

8. Page 5, line 24.

Strike: "(g)"

Strike: "street lighting assessments;"

Renumber: subsequent subsection

9. Page 7, line 16.

Following: "applicability"

Insert: "— delayed applicability"

10. Page 7, line 17.

Following: "applies"

Insert: ":(1)"

11. Page 7, line 18.

Following: "1988"

Insert: " , for the revisions made to [section 1(1)]; and

(2) to taxable years beginning after December 31, 1989, for the revisions made to [section 1(3)(h) and (4)(a)]"

And, as amended, be concurred in. Report adopted.

ADVERSE COMMITTEE REPORTS

SB 9 - Representative J. Brown moved the 3/10/89 adverse committee report on SB 9 be adopted. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, J. Brown, Clark, Cocchiarella, Cody, Cohen, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Quilici, Ramirez, Raney, Rehberg, Russell, Schye, Simon, Smith, Spaeth, Squires, Stepler, Stickney, Swift, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 75

Noes: Campbell, Cobb, Compton, Connelly, Daily, DeBruycker, Ellison, Iverson, Keller, Pavlovich, Phillips, Rice, Simpkins, Swysgood, Thoft.

March 11, 1989

Total 15

Excused: Brooke, D. Brown, R. Nelson, Ream, Spring, Stang, Strizich, Thomas.

Total 8

Absent or not voting: Marks, Roth.

Total 2

SB 86 - Representative J. Brown moved the 3/10/89 adverse committee report on SB 86 be adopted. Motion carried as follows:

Ayes: Aafedt, Addy, Bardanouve, Blotkamp, Boharski, Bradley, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Connelly, Darko, Davis, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Koehnke, Lee, McCormick, McDonough, Menahan, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Peterson, Quilici, Raney, Rehberg, Rice, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Steppler, Stickney, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 72

Noes: Bachini, Cobb, Compton, Daily, DeBruycker, DeMars, Driscoll, Elliott, Hanson, Iverson, Keller, Knapp, Mercer, Patterson, Pavlovich, Peck, Phillips, Ramirez.

Total 18

Excused: Brooke, D. Brown, R. Nelson, Ream, Spring, Stang, Strizich, Thomas.

Total 8

Absent or not voting: Marks, Roth.

Total 2

SB 240 - Representative Elliott moved the 3/9/89 adverse committee report on SB 240 be adopted.

Representative Boharski made a substitute motion the adverse committee report not be adopted. Motion failed as follows:

Ayes: Boharski, Bradley, Campbell, Compton, DeBruycker, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Iverson, Keller, Knapp, Koehnke, Lee, O'Keefe, Patterson, Peterson, Phillips, Rehberg, Rice, Roth, Simon, Simpkins, Swysgood, Thoft, Wallin, Zook.

Total 31

Noes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Hansen, Harper, Harrington, Hayne, Hoffman, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, Pavlovich, Peck, Quilici, Ramirez, Raney, Russell, Schye, Smith, Spaeth, Squires, Steppler, Stickney, Swift, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 59

Excused: Brooke, D. Brown, R. Nelson, Ream, Spring, Stang, Strizich, Thomas.

Total 8

Absent or not voting: Cobb, Owens.

Total 2

Thereupon, the adverse committee report was adopted as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Good, Grinde, Hansen, Harper, Harrington, Hayne, Hoffman, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knapp, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Quilici, Ramirez, Raney, Roth, Russell, Schye, Smith, Spaeth, Squires, Stepler, Stickney, Swift, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 64

Noes: Boharski, Campbell, Clark, Cobb, Compton, DeBruycker, Glaser, Gould, Grady, Guthrie, Hannah, Hanson, Iverson, Keller, Koehnke, Lee, Patterson, Peterson, Phillips, Rehberg, Rice, Simon, Simpkins, Swysgood, Thoft, Wallin, Zook.

Total 27

Excused: Brooke, D. Brown, R. Nelson, Ream, Spring, Stang, Strizich, Thomas.

Total 8

Absent or not voting: Marks.

Total 1

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 225, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stepler, Stickney, Swift, Swysgood, Thoft, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 86

Noes: Campbell, Guthrie, Marks, Owens.

Total 4

Excused: Brooke, D. Brown, R. Nelson, Ream, Spring, Stang, Strizich, Thomas, Whalen.

Total 9

Absent or not voting: Hannah.

Total 1

HB 242, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly,

Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Steppler, Stickney, Swift, Swysgood, Thoft, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: Bardanouve.

Total 1

Excused: Brooke, D. Brown, R. Nelson, Ream, Spring, Stang, Strizich, Thomas, Whalen.

Total 9

Absent or not voting: Eudaily.

Total 1

HB 243, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Steppler, Stickney, Swift, Swysgood, Thoft, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: None.

Total 0

Excused: Brooke, D. Brown, R. Nelson, Ream, Spring, Stang, Strizich, Thomas, Whalen.

Total 9

Absent or not voting: None.

Total 0

HB 658, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Steppler,

Stickney, Swift, Swysgood, Thoft, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: None.
Total 0

Excused: Brooke, D. Brown, R. Nelson, Ream, Spring, Stang, Strizich, Thomas, Whalen.
Total 9

Absent or not voting: Harper, Marks.
Total 2

HB 742 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Boharski, Bradley, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Steppler, Stickney, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: None.
Total 0

Excused: Brooke, D. Brown, R. Nelson, Ream, Spring, Stang, Strizich, Thomas.
Total 8

Absent or not voting: Blotkamp.
Total 1

HB 750 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Steppler, Stickney, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: None.
Total 0

Excused: Brooke, D. Brown, R. Nelson, Ream, Spring, Stang, Strizich, Thomas.
Total 8

March 11, 1989

Absent or not voting: Keller.

Total 1

SB 33 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stepler, Stickney, Swift, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: Boharski, Campbell, Giacometto, Swysgood.

Total 4

Excused: Brooke, D. Brown, R. Nelson, Ream, Spring, Stang, Strizich, Thomas.

Total 8

Absent or not voting: Guthrie.

Total 1

SB 45 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stepler, Stickney, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: None.

Total 0

Excused: Brooke, D. Brown, R. Nelson, Ream, Spring, Stang, Strizich, Thomas.

Total 8

Absent or not voting: Knapp.

Total 1

SB 61 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp,

Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Steppler, Stickney, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: Good, Harper, Marks, Peck.

Total 4

Excused: Brooke, D. Brown, R. Nelson, Ream, Spring, Stang, Strizich, Thomas.

Total 8

Absent or not voting: None.

Total 0

SB 73 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Steppler, Stickney, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Brooke, D. Brown, R. Nelson, Ream, Spring, Stang, Strizich, Thomas.

Total 8

Absent or not voting: None.

Total 0

SB 84 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Steppler, Stickney, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Brooke, D. Brown, R. Nelson, Ream, Spring, Stang, Strizich, Thomas.

Total 8

Absent or not voting: None.

Total 0

SB 210 concurred in as follows:

Ayes: Aafedt, Addy, Bardanouve, Blotkamp, Boharski, Bradley, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stepler, Stickney, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 86

Noes: Bachini, Giacometto, Hannah, Peck, Rehberg.

Total 5

Excused: Brooke, D. Brown, R. Nelson, Ream, Spring, Stang, Strizich, Thomas.

Total 8

Absent or not voting: Keller.

Total 1

SB 284 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, J. Brown, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, Elliott, Ellison, Eudaily, Gervais, Gilbert, Good, Gould, Grady, Hansen, Hanson, Harper, Harrington, Hayne, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stepler, Stickney, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 77

Noes: Boharski, Campbell, Clark, Cobb, DeMars, Driscoll, Giacometto, Glaser, Grinde, Guthrie, Hannah, Hoffman, Koehnke, Peck.

Total 14

Excused: Brooke, D. Brown, R. Nelson, Ream, Spring, Stang, Strizich, Thomas.

Total 8

Absent or not voting: Roth.

Total 1

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:

3/10/89

HB 127, introduced by Stickney
HB 139, introduced by Simon
HB 152, introduced by Addy
HB 210, introduced by Swysgood
HB 218, introduced by J. Brown
HB 310, introduced by Schye
HB 327, introduced by Giacometto
HB 397, introduced by Eudaily

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 3/10/89

HB 172, introduced by Swift
HB 308, introduced by Squires
HB 374, introduced by Peck
HB 449, introduced by Schye

House amendments to Senate bills concurred in: 3/10/89

SB 27, introduced by Meyer
SB 140, introduced by Jergeson

MESSAGES FROM THE GOVERNOR

John Vincent
 Speaker of the House
 Montana House of Representatives
 State Capitol
 Helena, Montana 59620

March 10, 1989

Dear Representative Vincent:

Please be informed that I have signed House Bills 90, 94, 110, 180, 196, 219, 314, and 334 on March 10, 1989.

Sincerely,

STAN STEPHENS
 Governor

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Schye in the Chair.

Speaker Pro Tempore: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 525 - Representative Swysgood moved HB 525 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth,

Squires, Steppler, Stickney, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Brooke, R. Nelson, Ream, Spring, Stang, Strizich, Thomas.

Total 7

Absent or not voting: Marks.

Total 1

HB 177 - Representative J. Brown moved Senate amendments to HB 177 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Steppler, Stickney, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: None.

Total 0

Excused: Brooke, R. Nelson, Ream, Spring, Stang, Strizich, Thomas.

Total 7

Absent or not voting: Bardanouve, Ellison, Grinde, Hannah, Swift.

Total 5

HB 362 - Representative D. Brown moved HB 362 be placed below SB 159 on the second reading board. Motion carried.

HB 409 - Representative Good moved Senate amendments to HB 409 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Koehnke, Lee, McCormick, McDonough, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Steppler, Stickney, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 85

Noes: None.

Total 0

Excused: Brooke, R. Nelson, Ream, Spring, Stang, Strizich, Thomas.

Total 7

Absent or not voting: Bardanouve, Boharski, Cohen, Glaser, Kimberley, Knapp, Marks, Menahan.

Total 8

HB 454 - Representative Connelly moved Senate amendments to HB 454 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Stepler, Stickney, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: None.

Total 0

Excused: Brooke, R. Nelson, Ream, Spring, Stang, Strizich, Thomas.

Total 7

Absent or not voting: Bardanouve, D. Brown, Hannah, Harrington, Squires.

Total 5

SB 98 - Representative Campbell moved SB 98 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Phillips, Quilici, Ramirez, Raney, Rice, Roth, Russell, Schye, Simon, Smith, Spaeth, Squires, Stepler, Stickney, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 85

Noes: Giacometto, Hanson, Peterson.

Total 3

Excused: Brooke, R. Nelson, Ream, Spring, Stang, Strizich, Thomas.

Total 7

Absent or not voting: Bardanouve, Good, Hannah, Rehberg, Simpkins.

Total 5

SB 121 - Representative Cobb moved SB 121 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady,

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Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Steppler, Stickney, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: None.

Total 0

Excused: Brooke, R. Nelson, Ream, Spring, Stang, Strizich, Thomas.

Total 7

Absent or not voting: Bardanouve, Hannah, Owens.

Total 3

SB 131 - Representative McDonough moved SB 131 be concurred in.
Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Good, Gould, Grady, Grinde, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Steppler, Stickney, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 86

Noes: Campbell, DeBruycker, Guthrie.

Total 3

Excused: Brooke, R. Nelson, Ream, Spring, Stang, Strizich, Thomas.

Total 7

Absent or not voting: Boharski, Glaser, Hannah, Owens.

Total 4

SB 156 - Representative Squires moved SB 156 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Steppler, Stickney, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Boharski, Clark.

Total 2

Excused: Brooke, R. Nelson, Ream, Spring, Stang, Strizich, Thomas.

Total 7

Absent or not voting: Quilici.

Total 1

Representative Raney excused at this time.

SB 159 - Representative Squires moved SB 159 be concurred in.

Representative Boharski made a substitute motion SB 159 be moved below SB 332. Motion failed.

Representative Raney present at this time.

Thereupon, SB 159 was concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Steppler, Stickney, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Boharski.

Total 1

Excused: Brooke, R. Nelson, Ream, Spring, Stang, Strizich, Thomas.

Total 7

Absent or not voting: Clark.

Total 1

HB 362 - Representative D. Brown moved Senate amendments to HB 362 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Steppler, Stickney, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Brooke, R. Nelson, Ream, Spring, Stang, Strizich, Thomas.

Total 7

Absent or not voting: None.

Total 0

Representative Raney excused at this time.

SB 206 - Representative Iverson moved SB 206 be concurred in.

Representative Iverson made a substitute motion that consideration of SB 206 be passed for the day. Motion carried.

SB 215 - Representative Harper moved SB 215 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stepler, Stickney, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: None.

Total 0

Excused: Brooke, R. Nelson, Raney, Ream, Spring, Stang, Strizich, Thomas.

Total 8

Absent or not voting: Kimberley, Lee.

Total 2

SB 219 - Representative Cobb moved SB 219, third reading copy, be amended as follows:

1. Title, line 5.

Following: "HUNTING"

Strike: "ACCESS"

2. Title, line 9.

Following: line 8

Strike: "ACCESS"

Insert: "PUBLIC HUNTING"

3. Page 1, line 14.

Strike: "access"

4. Page 1, line 18.

Following: "hunting"

Strike: "access"

5. Page 1.

Following: line 21

Strike: "access"

6. Page 1, line 25.

Following: "hunting"

Strike: "access to"

Insert: "on"

Amendment passed as follows:

Ayes: Aafedt, Addy, Blotkamp, Boharski, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Compton, DeBruycker, DeMars, Ellison, Eudaily, Giacometto, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Knapp, Koehnke, Lee, Marks, McDonough, Mercer, Owens, Patterson, Peterson, Quilici, Ramirez, Rehberg, Rice, Roth, Simon, Simpkins, Smith, Spaeth, Stepler, Stickney, Swift, Swysgood, Thoft, Wallin, Zook.

Total 56

Noes: Bachini, Bradley, Clark, Cohen, Connelly, Daily, Darko, Davis, Driscoll, Elliott, Gervais, Gilbert, Hansen, Kadas, Kilpatrick, Kimberley, McCormick, Menahan, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Phillips, Russell, Schye, Squires, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 34

Excused: Brooke, R. Nelson, Raney, Ream, Spring, Stang, Strizich, Thomas.

Total 8

Absent or not voting: Bardanouve, D. Brown.

Total 2

Representative Elliott moved SB 219, as amended, be concurred in.
Motion carried as follows:

Ayes: Aafedt, Addy, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, Driscoll, Elliott, Eudaily, Gervais, Gilbert, Glaser, Gould, Hansen, Hanson, Harper, Harrington, Iverson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McDonough, Menahan, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rice, Roth, Russell, Schye, Simon, Smith, Spaeth, Squires, Stepler, Stickney, Wallin, Whalen, Wyatt, Mr. Speaker.

Total 69

Noes: Bachini, Campbell, Cobb, DeMars, Ellison, Giacometto, Good, Grady, Grinde, Guthrie, Hannah, Hayne, Hoffman, Johnson, McCormick, Mercer, O'Keefe, Rehberg, Simpkins, Swift, Swysgood, Thoft, Westlake, Zook.

Total 24

Paired: Ream, Aye; Cobb, No.

Excused: Brooke, R. Nelson, Raney, Spring, Stang, Strizich, Thomas.

Total 7

Absent or not voting: None.

Total 0

Representative Hannah excused at this time.

SB 232 - Representative Gilbert moved SB 232 be concurred in. Motion carried as follows:

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Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Steppler, Stickney, Swift, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 85

Noes: Grady, O'Keefe, Swysgood.

Total 3

Excused: Brooke, Hannah, R. Nelson, Raney, Ream, Spring, Stang, Strizich, Thomas.

Total 9

Absent or not voting: Bardanouve, Giacometto, Pavlovich.

Total 3

SB 271 - Representative Good moved SB 271 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Quilici, Ramirez, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Steppler, Stickney, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 83

Noes: Boharski, Campbell, Ellison, Giacometto, Gilbert, Owens, Phillips.

Total 7

Excused: Brooke, Hannah, R. Nelson, Raney, Ream, Spring, Stang, Strizich, Thomas.

Total 9

Absent or not voting: Bardanouve.

Total 1

SB 305 - Representative Bachini moved SB 305, third reading copy, be amended as follows:

1. Title, line 9.

Following: "TO"

Strike: "A MINIMUM RENTAL RATE OF A 50% CROP SHARE AND"

2. Page 2, line 9.

Following: "to"

Strike: "a minimum rental rate of a 50% crop share and"

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Steppler, Stickney, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: Cohen.

Total 1

Excused: Brooke, R. Nelson, Raney, Ream, Spring, Stang, Strizich, Thomas.

Total 8

Absent or not voting: Bardanouve, Gervais.

Total 2

Representative Hanson excused at this time.

Representative Giacometto moved SB 305, as amended, be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Guthrie, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Steppler, Stickney, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: DeBruycker.

Total 1

Excused: Brooke, Hanson, R. Nelson, Raney, Ream, Spring, Stang, Strizich, Thomas.

Total 9

Absent or not voting: Bardanouve, Grady, Grinde.

Total 3

SB 310 - Representative Spaeth moved SB 310 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley,

Koehnke, Lee, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Steppler, Stickney, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: None.

Total 0

Excused: Brooke, Hanson, R. Nelson, Raney, Ream, Spring, Stang, Strizich, Thomas.

Total 9

Absent or not voting: Knapp, Menahan.

Total 2

SB 332 - Representative Harrington moved SB 332 be concurred in.
Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stoppler, Stickney, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: None.

Total 0

Excused: Brooke, Hanson, R. Nelson, Raney, Ream, Spring, Stang, Strizich, Thomas.

Total 9

Absent or not voting: Bardanouve, D. Brown, Kadas.

Total 3

SB 333 - Representative Mercer moved SB 333, third reading copy, be amended as follows:

1. Page 48, line 16.

Following: “.”

Strike: “In” on page 48, line 16 through “obligations” on page 49, line 3

Insert: “If the personal representative is authorized to invest funds in United States obligations, he may invest in these obligations either directly or in the form of securities of or other interests in an open-end or closed-end management type investment company or investment trust registered under the Investment Company Act of 1940 (15 U.S.C. 80a-1 through 80a-64), as amended, if:

(1) the portfolio of the investment company or investment trust is limited to United States government obligations and repurchase agreements fully collateralized by United States government obligations; and

(2) the investment company or investment trust takes delivery of the collateral for any repurchase agreement, either directly or through an authorized custodian.”

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stepler, Stickney, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 85

Noes: None.
Total 0

Excused: Brooke, Hanson, R. Nelson, Raney, Ream, Spring, Stang, Strizich, Thomas.
Total 9

Absent or not voting: Bardanouve, D. Brown, Clark, Daily, Kadas, Pavlovich.
Total 6

Representative Mercer moved SB 333, as amended, be concurred in.
Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stepler, Stickney, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 85

Noes: DeBruycker.
Total 1

Excused: Brooke, Hanson, R. Nelson, Raney, Ream, Spring, Stang, Strizich, Thomas.
Total 9

Absent or not voting: Bardanouve, D. Brown, Grinde, Kadas, Kasten.
Total 5

SB 18 - Representative Mercer moved consideration of SB 18 be passed for the day. Motion carried.

SB 249 - Representative Good moved SB 249 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 83

Noes: Bachini, DeBruycker, Driscoll, Hansen, McCormick, O'Connell, Peck.
Total 7

Paired: Stang, Aye; Driscoll, No.

Excused: Brooke, Hanson, R. Nelson, Raney, Ream, Spring, Strizich, Thomas.

Total 8

Absent or not voting: Bardanoue, Blotkamp.

Total 2

SB 267 - Representative Simpkins moved SB 267 be placed at the bottom of the second reading board. Motion carried.

Representative Hanson present at this time.

SB 287 - Representative Harrington moved SB 287 be concurred in.

Representative Boharski made a substitute motion to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative Boharski moved SB 287, third reading copy, be amended. Amendment failed. (41-57)

Representative Daily moved for cloture. Motion carried.

Thereupon, SB 287 was concurred in as follows:

Ayes: Addy, Bachini, Bardanoue, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Gould, Grady, Grinde, Hansen, Harper, Harrington, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Koehnke, Marks, McCormick, McDonough, Menahan, Moore, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, Rice, Russell, Schye, Smith, Squires, Stang, Stickney, Strizich, Swysgood, Whalen, Wyatt, Mr. Speaker.

Total 58

Noes: Aafedt, Boharski, Campbell, Clark, Cody, Compton, DeBruycker, Ellison, Giacometto, Gilbert, Glaser, Good, Guthrie, Hannah, Hanson, Hayne, Hoffman, Kasten, Keller, Knapp, Lee, Mercer, L. Nelson, R. Nelson, T. Nelson, Owens, Patterson, Peterson, Ramirez, Rehberg, Roth, Simon, Simpkins, Spaeth, Stepler, Swift, Thoft, Wallin, Zook.

Total 39

Paired: Brooke, Menahan, Raney, Ream, Stang, Strizich, Ayes; Ellison, Giacometto, Gilbert, Good, R. Nelson, Peterson, Noes.

Excused: Spring, Thomas.

Total 2

Absent or not voting: Westlake.

Total 1

SB 289 - Representative T. Nelson moved SB 289 be concurred in.
Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Stepler, Stickney, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 83

Noes: Boharski, Driscoll.

Total 2

Excused: Brooke, R. Nelson, Raney, Ream, Spring, Stang, Strizich, Thomas.

Total 8

Absent or not voting: Daily, Ellison, Hannah, Menahan, O'Connell, Pavlovich, Squires.

Total 7

Representative Driscoll assumed the Chair at this time.

SB 322 - Representative Ramirez moved SB 322, third reading copy, be amended as follows:

1. Page 1, lines 14 and 15.

Following: "privilege" on line 14

Strike: "voluntarily" on line 14 through "source" on line 15

Insert: "testifies"

2. Page 1, line 19.

Following: "he"

Strike: "or it"

3. Page 1, line 20 [as amended by the Judiciary Committee amendment No. 6].

Following: "voluntarily"

Insert: "agrees to waive the privilege or voluntarily"

Following: "source"

Insert: "in the course of his testimony"

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Knapp, Koehnke, Lee, McCormick, McDonough, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell,

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O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Squires, Steppler, Stickney, Swift, Swysgood, Thoft, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 82

Noes: Kimberley.

Total 1

Excused: Brooke, R. Nelson, Raney, Ream, Spring, Stang, Strizich, Thomas.

Total 8

Absent or not voting: Clark, Ellison, Gervais, Grady, Kadas, Marks, Menahan, Schye, Whalen.

Total 9

Representative Ramirez moved SB 322, as amended, be concurred in.
Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Squires, Steppler, Stickney, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: None.

Total 0

Excused: Brooke, R. Nelson, Raney, Ream, Spring, Stang, Strizich, Thomas.

Total 8

Absent or not voting: Ellison, Grady, Menahan, Schye.

Total 4

SB 438 - Representative T. Nelson moved SB 438 be concurred in.
Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Squires, Steppler, Stickney, Swift, Swysgood, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 86

Noes: None.

Total 0

Excused: Brooke, R. Nelson, Raney, Ream, Spring, Stang, Strizich, Thomas.

Total 8

Absent or not voting: Ellison, Grady, Kadas, Menahan, Schye, Thoft.

Total 6

SB 443 - Representative Pavlovich moved SB 443 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, D. Brown, J. Brown, Campbell, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Eudaily, Gervais, Gould, Grinde, Hanson, Harper, Harrington, Hayne, Hoffman, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Moore, L. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Rehberg, Roth, Russell, Simpkins, Smith, Spaeth, Squires, Stickney, Swift, Swysgood, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 65

Noes: Boharski, Cobb, Cocchiarella, Elliott, Giacometto, Gilbert, Glaser, Good, Guthrie, Hannah, Hansen, Iverson, Kasten, Keller, Lee, Mercer, T. Nelson, Rice, Simon, Stepler, Wallin.

Total 21

Excused: Brooke, R. Nelson, Raney, Ream, Spring, Stang, Strizich, Thomas.

Total 8

Absent or not voting: Clark, Ellison, Grady, Menahan, Schye, Thoft.

Total 6

SB 22 - Representative Stickney moved SB 22 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Phillips, Quilici, Ramirez, Rehberg, Rice, Russell, Simon, Simpkins, Smith, Spaeth, Squires, Stepler, Stickney, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 86

Noes: None.

Total 0

Excused: Brooke, R. Nelson, Raney, Ream, Spring, Stang, Strizich, Thomas.

Total 8

Absent or not voting: Ellison, Marks, Menahan, Peterson, Roth, Schye.

Total 6

Representative Schye resumed the Chair at this time.

SB 56 - Representative Keller moved SB 56 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Elliott, Eudaily, Gervais, Giacometto, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, O'Connell, Owens, Peck, Peterson, Quilici, Ramirez, Rehberg, Rice, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Steppler, Stickney, Swift, Swysgood, Thoft, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 75

Noes: Daily, Gilbert, Harper, Kilpatrick, T. Nelson, Nisbet, O'Keefe, Patterson, Pavlovich, Phillips.

Total 10

Excused: Brooke, R. Nelson, Raney, Ream, Spring, Stang, Strizich, Thomas.

Total 8

Absent or not voting: Bradley, D. Brown, Driscoll, Ellison, Good, Roth, Westlake.

Total 7

SB 79 - Representative Cody moved SB 79 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Steppler, Stickney, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Zook, Mr. Speaker.

Total 85

Noes: Campbell, Hannah.

Total 2

Excused: Brooke, R. Nelson, Raney, Ream, Spring, Stang, Strizich, Thomas.

Total 8

Absent or not voting: D. Brown, Ellison, Harrington, Pavlovich, Wyatt.

Total 5

SB 81 - Representative Westlake moved SB 81 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici,

Ramirez, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Steppler, Stickney, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Zook, Mr. Speaker.

Total 83

Noes: Bradley, Clark, Hannah, Hansen, Kadas, Stang.

Total 6

Paired: Westlake, Aye; Stang, No.

Excused: Brooke, R. Nelson, Raney, Ream, Spring, Strizich, Thomas.

Total 7

Absent or not voting: D. Brown, Darko, Ellison, Wyatt.

Total 4

SB 95 - Representative J. Brown moved SB 95 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Harper, Harrington, Hayne, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simpkins, Spaeth, Squires, Steppler, Stickney, Strizich, Whalen, Wyatt, Mr. Speaker.

Total 69

Noes: Cobb, DeBruycker, Elliott, Good, Grinde, Guthrie, Hanson, Hoffman, Kasten, Keller, Lee, Mercer, Owens, Patterson, Peterson, Ramirez, Simon, Smith, Swift, Swysgood, Thoft, Wallin, Westlake, Zook.

Total 24

Paired: R. Nelson, Raney, Ream, Strizich, Ayes; Kasten, Mercer, Ramirez, Swift, Noes.

Excused: Brooke, Spring, Stang, Thomas.

Total 4

Absent or not voting: Bardanouve, Campbell, Ellison.

Total 3

SB 119 - Representative Darko moved SB 119 be concurred in. Motion failed as follows:

Ayes: Addy, Bachini, Blotkamp, Bradley, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Connelly, Daily, Darko, DeMars, Elliott, Gervais, Grinde, Hansen, Harper, Harrington, Johnson, Kadas, Kilpatrick, Kimberley, McDonough, Moore, L. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Russell, Schye, Spaeth, Squires, Stickney, Wyatt, Mr. Speaker.

Total 38

Noes: Aafedt, Boharski, Campbell, Clark, Cohen, Compton, Davis, DeBruycker, Driscoll, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hanson, Hayne, Hoffman, Iverson, Kasten, Keller, Knapp, Koehnke, Lee, Marks, McCormick, Menahan, Mercer, T. Nelson, Owens, Patterson, Peterson, Phillips, Quilici, Ramirez, Rehberg, Rice, Roth, Simon, Simpkins, Smith, Steppler, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Zook.

Total 53

Paired: Cody, Aye; Thomas, No.

Excused: Brooke, R. Nelson, Raney, Ream, Spring, Stang, Strizich.

Total 7

Absent or not voting: Bardanouve, Ellison.

Total 2

SB 145 - Representative McDonough moved SB 145 be concurred in.
Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Steppler, Stickney, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: None.

Total 0

Excused: Brooke, R. Nelson, Raney, Ream, Spring, Stang, Strizich, Thomas.

Total 8

Absent or not voting: Bardanouve, Ellison, Grady.

Total 3

SB 182 - Representative Simon moved consideration of SB 182 be passed for the day. Motion carried.

SB 218 - Representative Driscoll moved SB 218 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stickney, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 86

Noes: Giacometto, Gilbert, Steppler.

Total 3

Excused: Brooke, R. Nelson, Raney, Ream, Spring, Stang, Strizich, Thomas.

Total 8

Absent or not voting: Bardanouve, Ellison, Iverson.

Total 3

SB 278 - Representative Smith moved SB 278 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stepler, Stickney, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: None.

Total 0

Excused: Brooke, R. Nelson, Raney, Ream, Spring, Stang, Strizich, Thomas.

Total 8

Absent or not voting: Ellison.

Total 1

Representative Hannah excused at this time.

SB 294 - Representative Elliott moved SB 294 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stepler, Stickney, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: Campbell, Cobb, Giacometto, Gilbert.

Total 4

Paired: Raney, Ream, Ayes; Cobb, Giacometto, Noes.

Excused: Brooke, Hannah, R. Nelson, Spring, Stang, Strizich, Thomas.

Total 7

Absent or not voting: Ellison, Lee.

Total 2

SB 303 - Representative Good moved SB 303, third reading copy, be amended as follows:

1. Amendment No. 31.

Strike: first insert "is not a licensed"
In second insert, following: "business"
Strike: "license"

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, J. Brown, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Steppler, Stickney, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 80

Noes: Campbell, DeBruycker, Giacometto, Pavlovich, Rehberg.
Total 5

Excused: Brooke, Hannah, R. Nelson, Raney, Ream, Spring, Stang, Strizich, Thomas.
Total 9

Absent or not voting: D. Brown, Cohen, Ellison, Hayne, Hoffman, Marks.
Total 6

Representative Good moved SB 303, as amended, be concurred in.

Representative Simon made a substitute motion to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative Hannah present at this time.

Representative Simon moved SB 303, third reading copy, be amended.
Amendment failed. (32-58)

Thereupon, SB 303, as amended, was concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Compton, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Gilbert, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Squires, Steppler, Stickney, Swift, Swysgood, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 77

Noes: Campbell, Clark, Cohen, Connelly, DeBruycker, Giacometto, Glaser, Hannah, Hoffman, Ramirez, Rehberg, Thoft.
Total 12

Excused: Brooke, R. Nelson, Raney, Ream, Spring, Stang, Strizich, Thomas.
Total 8

Absent or not voting: Ellison, Lee, Smith.
Total 3

SB 351 - Representative McCormick moved SB 351 be concurred in.
Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Quilici, Rehberg, Rice, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Steppler, Stickney, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 85

Noes: Marks, Ramirez, Roth.

Total 3

Excused: Brooke, R. Nelson, Raney, Ream, Spring, Stang, Strizich, Thomas.

Total 8

Absent or not voting: Blotkamp, Ellison, Patterson, Phillips.

Total 4

SB 357 - Representative Westlake moved SB 357 be concurred in.
Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Steppler, Stickney, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: None.

Total 0

Excused: Brooke, R. Nelson, Raney, Ream, Spring, Stang, Strizich, Thomas.

Total 8

Absent or not voting: Ellison.

Total 1

SB 370 - Representative Johnson moved SB 370 be concurred in.
Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick,

McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Rice, Russell, Schye, Simpkins, Smith, Spaeth, Squires, Stepler, Stickney, Swift, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 69

Noes: Aafedt, Boharski, Clark, Cohen, Compton, DeBruycker, Giacometto, Gilbert, Glaser, Hannah, Iverson, Kasten, Keller, Lee, Patterson, Phillips, Ramirez, Rehberg, Roth, Simon, Swysgood.
Total 21

Excused: Brooke, R. Nelson, Raney, Ream, Spring, Stang, Strizich, Thomas.
Total 8

Absent or not voting: Ellison, Owens.
Total 2

SB 417 - Representative Wyatt moved SB 417 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Glaser, Good, Gould, Grady, Guthrie, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Phillips, Quilici, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Stickney, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 75

Noes: Campbell, Cobb, Giacometto, Gilbert, Grinde, Hansen, Hayne, Kadas, Kasten, T. Nelson, Peterson, Ramirez, Smith, Stepler.
Total 14

Excused: Brooke, R. Nelson, Raney, Ream, Spring, Stang, Strizich, Thomas.
Total 8

Absent or not voting: Ellison, Hannah, Squires.
Total 3

Representative Peterson excused at this time.

SB 267 - Representative Simpkins moved SB 267 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, Elliott, Eudaily, Gervais, Giacometto, Glaser, Good, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Phillips, Quilici, Ramirez, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stickney, Swift, Swysgood, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 75

Noes: Campbell, Clark, Cocchiarella, DeMars, Driscoll, Gilbert, Kasten, Kimberley, Koehnke, L. Nelson, O'Keefe, Peck, Stepler, Thoft.
Total 14

Excused: Brooke, R. Nelson, Peterson, Raney, Ream, Spring, Stang, Strizich, Thomas.
Total 9

Absent or not voting: Ellison, Gould.
Total 2

Representative Harper moved the committee rise and report. Motion carried. Committee arose. House resumed. Speaker Pro Tempore Addy in the Chair. Chairman Schye moved the adoption of the committee report.

Representative Boharski made a substitute motion SB 159 be segregated from the Committee of the Whole report and the remainder of the report be adopted. Motion failed. (41-47)

Thereupon, the committee report was adopted. (72-17)

MOTIONS

Representative Spaeth moved SB 95 be taken from engrossing and rereferred to the Committee on Appropriations. Motion carried.

Representative Simpkins moved he be allowed to change his vote on SB 9, Order of Business No. 2, from yes to no. Motion carried.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 3/11/89

Correctly enrolled: HB 62, HB 74, HB 119, HB 186, HB 212, HB 262, HB 402, HJR 6.

Examined by the sponsors and found to be correct:

HB 62 - Hanson

HB 74 - Cobb

HB 119 - Knapp

HB 212 - Guthrie

HB 262 - Hoffman

HB 402 - J. Brown

HJR 6 - O'Keefe

Signed by the Speaker at 8:30 a.m., 3/11/89: SB 26, SB 36, SB 74, SB 76, SB 89, SB 120, SB 125, SB 154, SB 170, SB 199, SB 231, SB 236, SJR 11.

Signed by the Speaker at 9:15 a.m., 3/11/89: HB 62, HB 74, HB 119, HB 212, HB 262, HB 402, HJR 6.

Signed by the Speaker at 9:45 a.m., 3/11/89: SB 46, SB 53, SB 57, SB 63, SB 66, SB 71, SB 72, SB 90, SB 188, SB 194, SB 281, SB 391.

Delivered to the Governor for his approval at 8:30 a.m., 3/11/89: HB 80, HB 226, HB 341, HB 421, HB 461, HB 484.

AGRICULTURE, LIVESTOCK, AND IRRIGATION (Bachini, Chairman): 3/11/89

SB 386, be concurred in. Report adopted.

SB 387, be concurred in. Report adopted.

JUDICIARY (D. Brown, Chairman): 3/10/89

SB 42, third reading copy, be amended as follows:

1. Title, line 12.

Following: "SECTIONS"

Insert: "40-4-208,"

2. Page 1, line 16.

Insert: Statement of Intent

3. Page 1, line 19 of Statement of Intent.

Following: "child"

Insert: "support"

4. Page 2, line 2 of Statement of Intent.

Following: "support"

Insert: "enforcement"

5. Page 38, line 21.

Following: line 20

Insert: "Section 27. Section 40-4-208, MCA, is amended to read:

"40-4-208. Modification and termination of provisions for maintenance, support, and property disposition. (1) Except as otherwise provided in 40-4-201(6), a decree may be modified by a court as to maintenance or support only as to installments accruing subsequent to actual notice to the parties of the motion for modification.

(2) (a) Whenever the decree proposed for modification does not contain provisions relating to maintenance or support, modification under subsection (1) may only be made within 2 years of the date of the decree.

(b) Whenever the decree proposed for modification contains provisions relating to maintenance or support, modification under subsection (1) may only be made:

(i) upon a showing of changed circumstances so substantial and continuing as to make the terms unconscionable; or

(ii) upon written consent of the parties; or

(iii) upon application by the department of revenue, whenever the department of revenue is providing services under Title IV-D of the federal Social Security Act. The support obligation must be modified, as appropriate, in accordance with the guidelines promulgated under [section 3 of Senate Bill No. 129]. A modification under this subsection may not be made within 12 months after the establishment of the order or the most recent modification.

(3) The provisions as to property disposition may not be revoked or modified by a court, except:

(a) upon written consent of the parties; or

(b) if the court finds the existence of conditions that justify the reopening of a judgment under the laws of this state.

(4) Unless otherwise agreed in writing or expressly provided in the decree, the obligation to pay future maintenance is terminated upon the death of either party or the remarriage of the party receiving maintenance.

(5) Unless otherwise agreed in writing or expressly provided in the decree, provisions for the support of a child are terminated by emancipation of the child but not by the death of a parent obligated to support the child. When a parent obligated to pay support dies, the

amount of support may be modified, revoked, or commuted to a lump-sum payment, to the extent just and appropriate in the circumstances.””

Renumber: subsequent sections

6. Page 38, line 25.

Following: line 24

Insert: “NEW SECTION. Section 29. Coordination instruction. If [section 3 of Senate Bill No. 129] is not passed and approved, [section 27 of this act] is void.”

Renumber: subsequent section

And, as amended, be concurred in. Report adopted.

NATURAL RESOURCES (Raney, Chairman):

3/11/89

SB 385, third reading copy, be amended as follows:

1. Page 4, line 4.

Strike: “AND”

2. Page 4, line 9.

Following: “and”

Insert: “; and”

3. Page 4, line 10.

Following: “product”

Insert: “(d) any petroleum product”

4. Page 5.

Following: line 25

Insert: “(9) “Petroleum product” includes gasoline, crude oil (except for crude oil at production facilities subject to regulation under Title 82), fuel oil, diesel oil or fuel, lubricating oil, oil sludge or refuse, and any other petroleum-related product or waste or fraction thereof that is liquid at standard conditions of temperature and pressure (60 degrees F and 14.7 pounds per square inch absolute).”

Renumber: subsequent subsections

And, as amended, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:

3/11/89

HB 68, introduced by Hansen

HB 71, introduced by Whalen

HB 124, introduced by Clark

HB 147, introduced by Whalen

HB 228, introduced by Harrington

HB 232, introduced by D. Brown

HB 273, introduced by L. Nelson

HB 292, introduced by Thomas

HB 309, introduced by Hanson

HB 321, introduced by Spaeth

HB 352, introduced by Elliott

HB 366, introduced by Stang

HB 426, introduced by Wallin

HB 519, introduced by Brooke

HB 527, introduced by Zook

HB 570, introduced by Spaeth

HB 611, introduced by Connelly

HB 706, introduced by T. Nelson

HJR 10, introduced by J. Brown

HJR 25, introduced by D. Brown

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 3/11/89

HB 231, introduced by D. Brown

HB 248, introduced by McDonough

HB 345, introduced by Thomas

HB 347, introduced by Smith

HB 388, introduced by Mercer

HB 446, introduced by Daily

HB 496, introduced by Nisbet

HB 573, introduced by McCormick

House bills not concurred in and returned to the House: 3/11/89

HB 267, introduced by Kilpatrick

HB 439, introduced by Kilpatrick

Senate bill passed and transmitted to the House for concurrence: 3/11/89

SB 446, introduced by Yellowtail

The Senate, on 3/11/89, acceded to the request of the House and appointed a free conference committee to meet with a like committee from the House to confer on HB 159.

President Galt appointed the following members:

Senator Farrell, Chairman

Senator Hammond

Senator Regan

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 772, introduced by Simpkins, Aafedt, Phillips, Walker, O'Connell, Cobb, Meyer, Noble, Manning, Wyatt, McCormick, Strizich, Good, Nisbet, Keller, referred to Committee on Appropriations

HB 773, introduced by Wyatt, Blaylock, Stickney, Brooke, O'Connell, Darko, McCormick, McDonough, Strizich, Ream, Squires, Bradley, referred to Committee on Appropriations

HB 774, introduced by DeBruycker, Jenkins, Hammond, Devlin, Campbell, Zook, Aklestad, Abrams, Hanson, Johnson, Kasten, Iverson, Compton, Phillips, Stepler, DeMars, Gervais, Stickney, referred to Committee on Appropriations

HJR 30, introduced by Clark, Galt, Simon, T. Nelson, Keller, Lynch, Kimberley, Kilpatrick, Hannah, Addy, McLane, Keating, Anderson, Nathe, Hager, Blaylock, Regan, Bishop, D. Brown, Jergeson, Patterson, Hanson, Spaeth, Grinde, Rehberg, Roth, McDonough, Giacometto, Good, Gould, Peterson, Knapp, Wallin, Eudaily, Swift, Aafedt, Smith, Hayne, Glaser, Guthrie, Campbell, Bradley, Driscoll, Quilici, Zook, Boharski, referred to Committee on State Administration

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Speaker Pro Tempore Addy introduced this week's pages:

Bearcat Brant, Missoula
Timothy Bray, Bigfork
Dennis Cody, Wolf Point
Isaac Cohen, Whitefish
Lisa Larson, Kalispell
Scott Sims, Billings
Kirsten Smith, Missoula
Adrienne Swick, Billings
Julie Winter, Great Falls

Representative Harper moved the House adjourn until 1:00 p.m.,
Monday, March 13, 1989.

Motion carried.

House adjourned at 1:10 p.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

FIFTY-EIGHTH LEGISLATIVE DAY

Helena, Montana
March 13, 1989

House Chambers
State Capitol

House convened at 1:00 p.m., Mr. Speaker in the Chair. Invocation by Representative Wallin. Pledge of Allegiance to the Flag.

Roll call. All members present except Addy, Davis, Guthrie, Patterson, Peck, Stickney, and Thomas, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journals for the fifty-second and fifty-third legislative days, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 3/13/89

Correctly printed: HB 111.

Correctly engrossed: HB 525, SB 215, SB 219, SB 249, SB 287, SB 303, SB 305, SB 322, SB 333, SB 351, SB 357.

Correctly enrolled: HB 223, HB 297, HB 302, HB 342, HB 392, HB 417, HB 429, HB 430, HB 480, HB 533, HB 624.

Examined by the sponsors and found to be correct:

HB 223 - Wallin

HB 297 - Roth

HB 302 - Grady

HB 342 - Darko

HB 392 - Darko

HB 417 - Pavlovich

HB 429 - Grady

HB 430 - Grady

HB 480 - Knapp

HB 533 - Davis

HB 624 - Menahan

BUSINESS AND ECONOMIC DEVELOPMENT (Pavlovich, Chairman):

3/13/89

SB 326, be concurred in. Report adopted.

HIGHWAYS AND TRANSPORTATION (Stang, Chairman):

3/10/89

HB 712, do pass. Report adopted.

SB 242, be concurred in. Report adopted.

SB 256, be concurred in. Report adopted.

SB 402, be concurred in. Report adopted.

NATURAL RESOURCES (Raney, Chairman):

3/11/89

SB 91, third reading copy, be amended as follows:

1. Title, line 9.

Strike: "EXISTING"

Following: "FROM"

Insert: "CERTAIN"

2. Title, line 10.

Following: "EASEMENTS;"

Insert: "PROVIDING FOR CONSERVATION EASEMENTS FOR SALES;"

Following: "BOARD;"

Insert: "CLARIFYING THE BIDDING REQUIREMENTS FOR SALE OF STATE LANDS;"

3. Title, line 11.

Following: "77-2-301"

Strike: "AND"

Insert: ","

Following: "77-2-303,"

Insert: "AND 77-2-324,"

4. Page 3, line 10.

Strike: "EXISTING"

5. Page 3, line 14.

Strike: "EXISTING"

6. Page 3, line 15.

Strike: "then held"

Insert: "that was"

7. Page 3, line 16.

Following: "lease"

Insert: "on [the effective date of this act]"

8. Page 3.

Following: line 16

Insert: "(2) The lessee requesting the sale shall have prepared a current certificate of survey for the property. The cost of preparation of the certificate of survey must be included in the settlement for improvements, as provided for in 77-2-325, if a person other than the lessee is the purchaser."

Renumber: subsequent subsections

9. Page 3, line 18.

Strike: "AN EXISTING"

Insert: "a"

10. Page 3, lines 19 and 20.

Following: "LAWS"

Strike: "," on line 19 through line 20 in its entirety

Insert: ", except that the development of any new, replacement, or additional water supply or sewage disposal system on the property must be approved pursuant to the review procedure, fee, and other requirements of Title 76, chapter 4, part 1."

11. Page 4, line 4.

Strike: "77-3-101"

Insert: "77-2-101"

Strike: "77-3-106"

Insert: "77-2-106"

12. Page 4.

Following: line 6

Insert: "NEW SECTION. Section 4. Conservation easement for certain sales. As a condition of any sale initiated pursuant to [section 3], the board shall, if consistent with its trust responsibility, grant to the state of Montana a conservation easement, as provided for in 76-6-203, for the leased cabin or home site or city or town lot to be sold. The conservation easement must run with the land in perpetuity and must:

(1) prohibit subdivision of the land;

(2) for property within 100 feet of a river, stream, or lake, prohibit the cutting of trees except as necessary for construction on the lot, fire prevention, safety, or protection of personal property; and

(3) require that any permanent structure be set back 25 feet from the high-water mark of a lake or stream."

Renumber: subsequent sections

13. Page 4.

Following: line 12

Insert: "Section 6. Section 77-2-324, MCA, is amended to read:

"77-2-324. Preference to lessee of land. The lessee of the land need not make a higher bid than others, but he shall, ~~if bidding an equal amount,~~ have the option to match the high bid and must be given the preference. If the lessee matches the high bid, bidding must be reopened to all bidders, with the lessee retaining the right of preference to match the ultimate high bid and be awarded the sale."

14. Page 4, line 18.

Strike: "and 4"

Insert: "through 5"

15. Page 4, line 21.

Strike: "and 4"

Insert: "through 5"

16. Page 4, lines 22 through 25.

Strike: section 7 in its entirety

And, as amended, be concurred in. Report adopted.

SB 201, third reading copy, be amended as follows:

1. Title, line 8.

Strike: "JUNE 30, 1991"

Insert: "DECEMBER 31, 1989"

2. Title, line 12.

Strike: "JUNE 30, 1991"

Insert: "DECEMBER 31, 1989"

3. Page 4, lines 13 and 14.

Strike: "June" on line 13 through "1991" on line 14

Insert: "December 31, 1989"

4. Page 4, line 18.

Strike: "June" through "1991"

Insert: "December 31, 1989"

5. Page 6, line 9.

Following: "gas."

Insert: "(d) Until the programmatic environmental statement is adopted, the board of oil and gas conservation shall prepare a written progress report after each regular meeting of the board and after any special board meeting that addresses the adoption or implementation of the programmatic environmental statement. A copy of each report must be sent to the environmental quality council."

And, as amended, be concurred in. Report adopted.

SB 371, be concurred in. Report adopted.

MESSAGES FROM THE GOVERNOR

John Vincent
Speaker of the House
Montana House of Representatives
State Capitol
Helena, Montana 59620

March 13, 1989

Dear Representative Vincent:

Please be informed that I have signed House Bills 123, 331, and 531 on March 11, 1989.

Sincerely,

STAN STEPHENS
Governor

MOTIONS

Representative Rice moved consideration of SB 338 be passed for the day. Motion carried.

Representative Iverson moved SB 206 be taken from the second reading board this legislative day and rereferred to the Committee on Taxation. Motion carried.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Cobb in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Representatives Grady and Thomas excused at this time.

HB 510 - Representative Vincent moved HB 510 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, DeMars, Driscoll, Elliott, Eudaily, Gervais, Glaser, Good, Gould, Hannah, Hansen, Hanson, Harper, Harrington, Hoffman, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Moore, Nisbet, O'Connell, O'Keefe, Pavlovich, Quilici, Raney, Ream, Russell, Schye, Spaeth, Squires, Stang, Strizich, Swift, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.
Total 60

Noes: Aafedt, Boharski, Campbell, DeBruycker, Ellison, Giacometto, Grinde, Hayne, Iverson, Kasten, Keller, Marks, Mercer, L. Nelson, R. Nelson, T. Nelson, Owens, Peterson, Phillips, Ramirez, Rehberg, Rice, Roth, Simon, Simpkins, Smith, Spring, Stepler, Swysgood, Thoft, Thomas, Westlake.
Total 32

Excused: Addy, Davis, Gilbert, Grady, Guthrie, Patterson, Peck, Stickney.
Total 8

Absent or not voting: None.

Total 0

HB 172 - Representative Swift moved Senate amendments to HB 172 be concurred in. Motion carried as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cody, Cohen, Compton, Connelly, Daily, Darko, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grinde, Hannah, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, Nisbet, O'Connell, Owens, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: Cocchiarella, Lee, O'Keefe.

Total 3

Excused: Addy, Davis, Gilbert, Grady, Guthrie, Patterson, Peck, Stickney.

Total 8

Absent or not voting: Hansen, T. Nelson.

Total 2

HB 231 - Representative D. Brown moved Senate amendments to HB 231 be concurred in. Motion carried as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: DeBruycker, Grinde, Lee, Marks, Swysgood.

Total 5

Excused: Addy, Davis, Gilbert, Grady, Guthrie, Patterson, Peck, Stickney.

Total 8

Absent or not voting: None.

Total 0

HB 248 - Representative McDonough moved Senate amendments to HB 248 be concurred in. Motion carried as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R.

Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Boharski.

Total 1

Excused: Addy, Davis, Gilbert, Grady, Guthrie, Patterson, Peck, Stickney.

Total 8

Absent or not voting: None.

Total 0

HB 308 - Representative Squires moved consideration of Senate amendments to HB 308 be placed at the bottom of the second reading board. Motion carried.

HB 345 - Representative Thomas moved Senate amendments to HB 345 be concurred in. Motion carried as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: None.

Total 0

Excused: Addy, Davis, Gilbert, Grady, Guthrie, Patterson, Peck, Stickney.

Total 8

Absent or not voting: Cohen, Kilpatrick, Whalen.

Total 3

HB 347 - Representative Smith moved Senate amendments to HB 347 be concurred in. Motion carried as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: None.

Total 0

Excused: Addy, Davis, Gilbert, Grady, Guthrie, Patterson, Peck, Stickney.

Total 8

Absent or not voting: Whalen.

Total 1

HB 374 - Representative Bachini moved consideration of Senate amendments to HB 374 be placed at the bottom of the second reading board. Motion carried.

HB 388 - Representative Mercer moved Senate amendments to HB 388 be concurred in. Motion carried as follows:

Ayes: Aafedt, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 86

Noes: O'Keefe, Raney.

Total 2

Excused: Addy, Davis, Gilbert, Grady, Guthrie, Patterson, Peck, Stickney.

Total 8

Absent or not voting: Bardanouve, Cohen, Owens, Whalen.

Total 4

HB 446 - Representative Daily moved Senate amendments to HB 446 be concurred in. Motion carried as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Connelly, Daily, Darko, DeMars, Driscoll, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Hansen, Harper, Harrington, Hayne, Hoffman, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Pavlovich, Phillips, Quilici, Ramirez, Ream, Rehberg, Roth, Russell, Schye, Simpkins, Smith, Spaeth, Squires, Stang, Steppler, Strizich, Swift, Swysgood, Thoft, Westlake, Whalen, Wyatt, Zook.

Total 67

Noes: Boharski, Brooke, Compton, DeBruycker, Elliott, Ellison, Grinde, Hannah, Hanson, Iverson, Kadas, Lee, Mercer, O'Keefe, Peterson, Raney, Rice, Simon, Spring, Thomas, Wallin, Mr. Speaker.

Total 22

Excused: Addy, Davis, Gilbert, Grady, Guthrie, Patterson, Peck, Stickney.

Total 8

Absent or not voting: Cohen, Marks, Menahan.

Total 3

Representative Guthrie present at this time.

HB 573 - Representative McCormick moved Senate amendments to HB 573 be concurred in. Motion carried as follows:

Ayes: Aafedt, Bachini, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Gould, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Keller, Kilpatrick, Knapp, Koehnke, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 79

Noes: Boharski, Campbell, Cohen, Good, Hannah, Kasten, Lee, Marks, O'Keefe, Rice.

Total 10

Excused: Addy, Davis, Gilbert, Grady, Patterson, Peck, Stickney.

Total 7

Absent or not voting: Bardanouve, Kadas, Kimberley, Zook.

Total 4

Representatives Addy, Harper, and Mercer excused at this time.

Representatives Davis and Stickney present at this time.

SB 18 - Representative Thomas moved SB 18 be concurred in. Motion failed as follows:

Ayes: Bachini, D. Brown, Clark, Daily, DeMars, Ellison, Eudaily, Giacometto, Glaser, Gould, Guthrie, Hannah, Hanson, Hayne, Hoffman, Kasten, Keller, Knapp, Koehnke, Lee, Marks, R. Nelson, T. Nelson, Pavlovich, Peterson, Phillips, Ramirez, Rehberg, Rice, Roth, Simon, Simpkins, Smith, Spring, Swift, Thomas, Wallin, Zook.

Total 38

Noes: Aafedt, Addy, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, Driscoll, Elliott, Gervais, Good, Grinde, Hansen, Harper, Harrington, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, McCormick, McDonough, Menahan, Moore, L. Nelson, Nisbet, O'Keefe, Owens, Quilici, Raney, Ream, Russell, Schye, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 56

Paired: Marks, Aye; Harper, No.

Excused: Gilbert, Grady, Mercer, Patterson, Peck.

Total 5

Absent or not voting: O'Connell.

Total 1

Representatives Addy, Gilbert, Grady, and Mercer present at this time.

SB 182 - Representative Simon moved SB 182 be concurred in. Motion failed as follows:

Ayes: Addy, Blotkamp, Bradley, J. Brown, Cody, Cohen, Connelly, Daily, Darko, DeMars, Eudaily, Gervais, Good, Grady, Hansen, Hanson, Harrington, Johnson, Kadas, Kilpatrick, Kimberley, Menahan, Moore, Nisbet, O'Keefe, Pavlovich, Peterson, Ramirez, Raney, Ream, Russell, Schye, Simon, Stang, Stepler, Stickney, Strizich, Thomas, Westlake, Zook.
Total 40

Noes: Aafedt, Bachini, Boharski, Brooke, D. Brown, Campbell, Clark, Cobb, Cocchiarella, Compton, Davis, DeBruycker, Driscoll, Elliott, Ellison, Giacometto, Gilbert, Glaser, Gould, Grinde, Guthrie, Hayne, Hoffman, Iverson, Kasten, Keller, Knapp, Koehnke, Lee, McCormick, McDonough, Mercer, L. Nelson, R. Nelson, T. Nelson, O'Connell, Owens, Phillips, Quilici, Rehberg, Rice, Roth, Simpkins, Smith, Spaeth, Spring, Squires, Swift, Swysgood, Thoft, Wallin, Whalen, Wyatt, Mr. Speaker.
Total 54

Excused: Harper, Patterson, Peck.
Total 3

Absent or not voting: Bardanouve, Hannah, Marks.
Total 3

SB 286 - Representative Campbell moved consideration of SB 286 be passed for the day. Motion carried.

SB 293 - Representative Elliott moved SB 293 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Gilbert.
Total 1

Excused: Harper, Patterson, Peck.
Total 3

Absent or not voting: Bardanouve.
Total 1

Representative Addy moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Cobb moved the adoption of the committee report. Report adopted. (92-4)

Representative Harper present at this time.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 177, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Patterson, Peck.

Total 2

Absent or not voting: Ellison, Grinde.

Total 2

HB 362, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Patterson, Peck.

Total 2

Absent or not voting: Ellison.

Total 1

HB 409, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady,

Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Giacometto.
Total 1

Excused: Patterson, Peck.
Total 2

Absent or not voting: Ellison.
Total 1

HB 454, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Driscoll.
Total 1

Excused: Patterson, Peck.
Total 2

Absent or not voting: Bardanouve, Ellison.
Total 2

SB 22 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: None.

Total 0

Excused: Patterson, Peck.

Total 2

Absent or not voting: Ellison, Owens.

Total 2

SB 56 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Davis, DeBruycker, DeMars, Elliott, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, O'Connell, Owens, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 84

Noes: Brooke, Campbell, Clark, Daily, Driscoll, Gilbert, Harper, Kadas, Nisbet, O'Keefe.

Total 10

Excused: Patterson, Peck.

Total 2

Absent or not voting: Darko, Ellison, Knapp, Pavlovich.

Total 4

SB 77 concurred in as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Gervais, Good, Grady, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Marks, McCormick, McDonough, Menahan, L. Nelson, R. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Quilici, Ramirez, Ream, Rice, Roth, Russell, Schye, Simpkins, Spaeth, Squires, Stepler, Stickney, Strizich, Zook, Mr. Speaker.

Total 60

Noes: Aafedt, Cobb, Compton, Driscoll, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hoffman, Iverson, Kasten, Koehnke, Lee, Mercer, T. Nelson, Owens, Patterson, Peterson, Phillips, Raney, Rehberg, Simon, Smith, Spring, Stang, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt.

Total 36

Paired: Simpkins, Aye; Patterson, No.

Excused: Peck.

Total 1

Absent or not voting: Connelly, Ellison, Moore.

Total 3

SB 79 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody,

Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Gilbert, Hannah.

Total 2

Excused: Patterson, Peck.

Total 2

Absent or not voting: Ellison, McCormick.

Total 2

SB 81 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.

Total 91

Noes: Cohen, Gilbert, Hannah, Kadas, Stang, Wyatt.

Total 6

Excused: Patterson, Peck.

Total 2

Absent or not voting: Ellison.

Total 1

SB 98 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Gilbert, Hanson, Peterson.
Total 3

Excused: Patterson, Peck.
Total 2

Absent or not voting: Ellison.
Total 1

SB 121 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: DeBruycker, Koehnke, Marks, Peterson, Swysgood.
Total 5

Excused: Patterson, Peck.
Total 2

Absent or not voting: Ellison.
Total 1

SB 131 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: DeBruycker.
Total 1

Excused: Patterson, Peck.
Total 2

Absent or not voting: Ellison.
Total 1

SB 145 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody,

Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Pavlovich, Peterson, Phillips, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Driscoll, O'Keefe, Quilici, Whalen.

Total 4

Excused: Patterson, Peck.

Total 2

Absent or not voting: DeBruycker, Ellison.

Total 2

SB 156 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Patterson, Peck.

Total 2

Absent or not voting: Ellison.

Total 1

Representative Peck present at this time.

SB 159 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, Nisbet, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich,

Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook,
Mr. Speaker.

Total 91

Noes: Boharski, Clark, DeBruycker, T. Nelson, Ramirez, Smith.

Total 6

Excused: Patterson.

Total 1

Absent or not voting: Ellison, O'Connell.

Total 2

SB 195 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Cohen, Menahan, Peck, Raney, Whalen.

Total 5

Excused: Patterson.

Total 1

Absent or not voting: Ellison.

Total 1

SB 218 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Gilbert, Stepler, Whalen.

Total 3

Excused: Patterson.

Total 1

Absent or not voting: Ellison, Hoffman.

Total 2

SB 232 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.

Total 89

Noes: Darko, Marks, O'Keefe, Ramirez, Swysgood, Wyatt.

Total 6

Excused: Patterson.

Total 1

Absent or not voting: Ellison, Gilbert, Hansen, Peck.

Total 4

SB 267 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 84

Noes: Campbell, Clark, Cocchiarella, Cody, DeMars, Gilbert, Grinde, Kasten, Koehnke, Peck, Stepler, Swysgood, Thoft, Westlake.

Total 14

Excused: Patterson.

Total 1

Absent or not voting: Ellison.

Total 1

SB 271 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream,

Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: Campbell, Gilbert.
Total 2

Excused: Patterson.
Total 1

Absent or not voting: None.
Total 0

SB 278 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: Hansen.
Total 1

Excused: Patterson.
Total 1

Absent or not voting: None.
Total 0

SB 289 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: Driscoll.
Total 1

Excused: Patterson.
Total 1

Absent or not voting: None.

Total 0

SB 294 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Campbell, Giacometto, Thomas.

Total 3

Excused: Patterson.

Total 1

Absent or not voting: None.

Total 0

SB 310 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Patterson.

Total 1

Absent or not voting: Good.

Total 1

SB 332 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller,

Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Patterson.

Total 1

Absent or not voting: None.

Total 0

SB 340 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Eudaily, Gervais, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hanson, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rice, Roth, Russell, Simpkins, Smith, Spaeth, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook.

Total 79

Noes: Cobb, Cody, Elliott, Ellison, Giacometto, Gilbert, Hansen, Harper, Koehnke, McCormick, R. Nelson, Raney, Rehberg, Schye, Spring, Steppler, Thomas, Mr. Speaker.

Total 18

Excused: Patterson.

Total 1

Absent or not voting: Grinde, Simon.

Total 2

SB 370 concurred in as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Elliott, Eudaily, Gervais, Giacometto, Good, Gould, Grady, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Ream, Rice, Roth, Russell, Schye, Spaeth, Spring, Squires, Steppler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 77

Noes: Aafedt, Boharski, DeBruycker, Driscoll, Ellison, Gilbert, Glaser, Grinde, Hannah, Iverson, Kasten, Lee, Owens, Phillips, Ramirez, Raney, Rehberg, Simon, Simpkins, Smith, Stang, Swysgood.

Total 22

Excused: Patterson.
Total 1

Absent or not voting: None.
Total 0

SB 417 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Giacometto, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 83

Noes: Brooke, Cobb, Gervais, Gilbert, Grinde, Hansen, Kasten, T. Nelson, Owens, Peterson, Ramirez, Smith, Steppler, Thomas.
Total 14

Excused: Patterson.
Total 1

Absent or not voting: DeBruycker, Harrington.
Total 2

SB 438 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: Cocchiarella.
Total 1

Excused: Patterson.
Total 1

Absent or not voting: None.
Total 0

SB 443 concurred in as follows:

Ayes: Aafedt, Bachini, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Eudaily, Gervais, Giacometto, Gould, Grady,

Hanson, Harrington, Hayne, Hoffman, Iverson, Johnson, Kilpatrick, Kimberley, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Roth, Schye, Simpkins, Smith, Spaeth, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 67

Noes: Addy, Bardanouve, Boharski, Cobb, Cocchiarella, Cohen, Elliott, Ellison, Gilbert, Glaser, Good, Grinde, Guthrie, Hannah, Hansen, Harper, Kadas, Kasten, Keller, Knapp, Lee, R. Nelson, T. Nelson, Peck, Ramirez, Rice, Russell, Simon, Spring, Steppler, Wallin, Zook.

Total 32

Excused: Patterson.

Total 1

Absent or not voting: None.

Total 0

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

3/13/89

Correctly enrolled: HB 186.

Examined by the sponsor and found to be correct:

HB 186 - Ream

Signed by the Speaker at 2:00 p.m., 3/13/89: HB 186, HB 223, HB 297, HB 302, HB 342, HB 392, HB 417, HB 429, HB 430, HB 480, HB 533, HB 624.

JUDICIARY (D. Brown, Chairman):

3/13/89

SB 113, third reading copy, be amended as follows:

1. Page 1, line 15.

Following: "if he"

Insert: "purposely or knowingly"

And, as amended, be concurred in. Report adopted.

SB 209, be concurred in. Report adopted.

SB 367, be concurred in. Report adopted.

SB 382, be concurred in. Report adopted.

LABOR AND EMPLOYMENT RELATIONS (Russell, Chairman): 3/13/89

SB 276, third reading copy, be amended as follows:

1. Page 2, line 14.

Strike: "commissioner"

Insert: "department"

2. Page 2, lines 14 and 15.

Strike: "he" in both instances

Insert: "it" in both instances

3. Page 4, lines 6 through 14.

Strike: section 5 in its entirety

Renumber: subsequent sections

4. Page 5, lines 15 and 18.

Following: "2"

Strike: ",

Insert: "and"

Following: "3"
Strike: ", and 5"

And, as amended, be concurred in. Report adopted.

**FIRST READING AND COMMITMENT
OF BILLS AND RESOLUTIONS**

The following House bill was introduced, read first time, and referred to committee:

HB 775, introduced by Connelly (by request of the Long-Range Building Subcommittee), referred to Committee on Appropriations

The following Senate bills were introduced, read first time, and referred to committees:

SB 431, introduced by Gage, Harper, B. Brown, Mazurek, Addy, Strizich, Mercer, Crippen, Hannah, Harp, Van Valkenburg (by request of the Department of Justice), referred to Committee on Judiciary

SB 446, introduced by Yellowtail, Russell, referred to Committee on Fish and Game

MOTIONS

Representative Spaeth moved HB 510 be taken from engrossing and rereferred to the Committee on Appropriations. Motion carried.

Representative Stang moved SB 216 be placed on second reading the following legislative day. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved the House adjourn until 1:00 p.m., Tuesday, March 14, 1989.

Motion carried.

House adjourned at 3:25 p.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

FIFTY-NINTH LEGISLATIVE DAY

Helena, Montana
March 14, 1989

House Chambers
State Capitol

House convened at 1:00 p.m., Mr. Speaker in the Chair. Invocation by Representative Wyatt. Pledge of Allegiance to the Flag.

Roll call. All members present except Bachini, Bradley, D. Brown, Driscoll, Ellison, Iverson, Koehnke, Patterson, and Squires, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journals for the fifty-fourth and fifty-fifth legislative days, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 3/14/89

Correctly printed: HB 712.

Correctly engrossed: SB 293.

Correctly enrolled: HB 133, HB 190, HB 348, HB 391, HB 423.

Examined by the sponsors and found to be correct: 3/13/89

HB 133 - Hayne

HB 190 - Hanson

HB 348 - Marks

HB 391 - Driscoll

HB 423 - Grady

Delivered to the Governor for his approval at 10:50 a.m.,
3/14/89: HB 186, HB 223, HB 297, HB 302, HB 342, HB 392,
HB 417, HB 429, HB 430, HB 480, HB 533, HB 624.

APPROPRIATIONS (Bardanouve, Chairman): 3/14/89

HB 44, introduced bill, be amended as follows:

1. Title, lines 5 and 6.

Strike: "DEFINING" on line 5 through "," on line 6

2. Title, line 7.

Strike: "INTERACCOUNT"

Insert: "INTERENTITY"

3. Title, lines 7 and 8.

Strike: "BY" on line 7 through "CENTERS" on line 8

Insert: "WITHIN STATE GOVERNMENT"

4. Page 1, line 14.

Strike: "interaccount"

Insert: "interentity"

5. Page 1, line 16.

Strike: "accounts"

Insert: "accounting entities"

6. Page 1, line 18.

Strike: "account"

Insert: "accounting entity"

7. Page 1, line 21.

Following: "money"

Insert: "or loans"

8. Page 1, line 24.

Following: "(2)"

Insert: "(a)"

Following: "appropriation"

Insert: "from a fund designated in 17-2-102(1)(a) through (1)(c)"

9. Page 1, line 25.

Strike: "account"

Insert: "accounting entity"

10. Page 2, line 2.

Following: "authorize"

Strike: "a" through "as"

Following: "loan"

Insert: ", "

11. Page 2, line 3.

Strike: "moneys"

Insert: "money"

12. Page 2, line 4.

Strike: "accounts" through "that"

Insert: "accounting entities if"

13. Page 2, lines 5 and 6.

Strike: "restore" on line 5 through "transferred" on line 6

Insert: "repay the loan"

14. Page 2, line 6.

Strike: "provided"

Insert: "if"

15. Page 2, line 7.

Following: "."

Insert: "An accounting entity receiving a loan or an accounting entity from which a loan is made may not be so impaired that all proper demands on the accounting entity cannot be met even if the loan is extended.

(b) (i) When an expenditure from a fund or subfund designated in 17-2-102(1)(d)(i)(A) through (1)(d)(vi) is necessary and the cash balance in the fund or subfund from which the expenditure is to be made is insufficient, the commissioner of higher education may authorize a temporary loan, bearing interest as provided in subsection (4), of money from the agency's other funds or subfunds if there is reasonable evidence that the income will be sufficient to repay the loan within 1 calendar year and if the loan is recorded in the state accounting records. A fund or subfund receiving a loan or from which a loan is made may not be so impaired that all proper demands on the fund or subfund cannot be met even if the loan is extended.

(ii) One accounting entity within each fund or subfund designated in 17-2-102(1)(d)(i)(A) through (1)(d)(vi) must be established for the sole purpose of recording loans between the funds or subfunds. This accounting entity is the only accounting entity within each fund or subfund that may receive a loan or from which a loan may be made."

Strike: "The"

Insert: "(c) A"

Following: "loan"

Insert: "made under subsection (2)(a) or (2)(b)"

16. Page 2, lines 10 through 12.

Strike: "No" on line 10 through "." on line 12

17. Page 2, line 14.

Following: "administration"

Insert: "or the board of regents"

18. Page 2, lines 14 and 15.

Following: "extension" on line 14

Strike: "of" through "loan" on line 15

19. Page 2, line 15.

Following: "year"

Insert: "for a loan made under subsection (2)(a) or (2)(b)"

Strike: "department" through "administration"

Insert: "director or board"

20. Page 2, line 21.

Following: "from"

Strike: "the" through "or"

21. Page 2, lines 22 and 23.

Strike: "subsections" on line 21 and "(1)(d)(i)(C)," on line 23

Insert: "17-2-102"

22. Page 2, line 23.

Following: "(1)(d)(i)(D)"

Strike: " , "

23. Page 2, line 24.

Strike: "of" through "shall"

Insert: "must"

24. Page 3.

Following: line 6

Insert: "(5) If for two consecutive fiscal yearends a loan or an extension of a loan has been authorized to the same accounting entity as provided in subsection (2) or (3), the department of administration or the commissioner of higher education shall submit to the legislative finance committee by September 1 of the following fiscal year a written report containing an explanation as to why the second loan or extension was made, an analysis of the solvency of the accounting entity or accounting entities within the university fund or subfund, and a plan for repaying the loans.

(6) If for two consecutive fiscal yearends an accounting entity in a fund or subfund designated in 17-2-102(1)(d)(i) through (1)(d)(vi) has a negative cash balance, the commissioner of higher education shall submit to the legislative finance committee by September 1 of the following fiscal year a written report containing an explanation as to why the accounting entity has a negative cash balance, an analysis of the solvency of the accounting entity, and a plan to address any problems concerning the accounting entity's negative cash balance or solvency."

25. Page 3, line 7.

Strike: "(5) No" and "account"

Insert: "(7) (a) An accounting entity in a fund designated in 17-2-102(1)(a) through (1)(c)"

Following: "may"

Insert: "not"

26. Page 3, line 9.

Strike: "an account"

Insert: "an accounting entity"

27. Page 3, line 12.

Strike: "balances"

28. Page 3, line 13.

Strike: "of" through "do"

Insert: "balance does"

29. Page 3.

Following: line 20

Insert: "(b) (i) Except as provided in subsection (7)(b)(ii), a unit of the university system or vocational-technical center shall maintain a positive cash balance in the funds and subfunds designated in 17-2-102(1)(d)(i)(A) through (1)(d)(i)(D) and (1)(d)(ii) through (1)(d)(vi).

(ii) If a fund or subfund inadvertently has a negative cash balance, the department of administration may allow the fund or subfund to carry the negative cash balance for no more than 7 working days. If the negative cash balance exists for more than 7 working days, a transaction may not be processed through the statewide accounting system for that fund or subfund."

30. Page 3, line 21.

Strike: "(6)"

Insert: "(8)"

31. Page 4, lines 8 through 23.

Strike: subsections (7) and (8) in their entirety

And, as amended, do pass. Report adopted.

HB 54, do pass. Report adopted.

HB 325, do pass. Report adopted.

HB 373, second reading copy, be amended as follows:

1. Title, lines 4 and 5.

Strike: "THE" on line 4 through "AND" on line 5

2. Title, lines 8 and 9.

Strike: "PROVIDING" on line 8 through "1989;" on line 9

3. Page 1, line 24 through page 2, line 1.

Strike: "A DAILY" on page 1, line 24 through "AS AMENDED" on page 2, line 1

Insert: "\$50 a day"

4. Page 2, line 22 through page 3, line 14.

Strike: section 2 in its entirety

Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 390, do pass. Report adopted.

HB 463, introduced bill, be amended as follows:

1. Title, line 15.

Strike: "PROVIDING AN APPROPRIATION;"

2. Page 14, lines 2 through 19.

Strike: section 3 in its entirety
Renumber: subsequent sections

And, as amended, do pass. Report adopted.

SB 78, be concurred in. Report adopted.
SB 80, be concurred in. Report adopted.
SB 192, be concurred in. Report adopted.
SB 193, be concurred in. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Schye, Chairman):

3/14/89

Adverse Committee Report

SB 136, third reading copy, be amended as follows:

1. Page 1, line 11.
Strike: "sections"
Insert: "section"
Strike: "and 3"

2. Page 3, line 25 through page 4, line 13.
Strike: section 3 in its entirety
Renumber: subsequent section

3. Page 4, line 15.
Strike: "Sections"
Insert: "Section"
Following: "2"
Strike: "and 3"
Strike: "are"
Insert: "is"

4. Page 4, line 17.
Strike: "sections"
Insert: "section"
Following: "2"
Strike: "and 3"

And, as amended, be not concurred in.

STATE ADMINISTRATION (J. Brown, Chairman):

3/14/89

SB 60, be concurred in. Report adopted.
SB 401, be concurred in. Report adopted.
SB 409, be concurred in. Report adopted.
SJR 5, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:

3/13/89

HB 2, introduced by Marks
HB 118, introduced by Cody
HB 151, introduced by Swift
HB 192, introduced by Rice
HB 206, introduced by Gould
HB 216, introduced by Wallin
HB 312, introduced by Connelly
HB 326, introduced by Rice
HB 365, introduced by Harrington
HB 372, introduced by Gould
HB 385, introduced by Simon

HB 408, introduced by Simon
HB 419, introduced by Koehnke
HB 467, introduced by Brooke
HB 470, introduced by Rice
HB 482, introduced by Cocchiarella
HB 499, introduced by Giacometto
HB 540, introduced by Raney

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 3/13/89

HB 69, introduced by DeBruycker
HB 101, introduced by Daily
HB 171, introduced by Swift
HB 207, introduced by Gould
HB 679, introduced by Grady
HB 680, introduced by Grady

House bill not concurred in and returned to the House: 3/13/89

HB 299, introduced by Addy

MESSAGES FROM THE GOVERNOR

John Vincent
 Speaker of the House
 Montana House of Representatives
 State Capitol
 Helena, Montana 59620

March 13, 1989

Dear Representative Vincent:

Please be informed that I have signed House Bills 13, 27, 29, 121, 141, 154, 168, 178, 182, 214, 235, 237, 281, 305, and 381 on March 13, 1989.

Sincerely,

STAN STEPHENS
 Governor

MOTIONS

Representative Boharski excused at this time.

Representative Harper moved the House reconsider its action on SB 182 taken on second reading the previous legislative day.

Representative Hanson moved the previous question. Motion carried.

Thereupon the motion to reconsider carried.

Representative Bachini present at this time.

Representative Harper moved SB 182 be taken from second reading and rereferred to the Committee on Business and Economic Development. Motion carried.

Representatives Hansen and Patterson present at this time.

Representative Pavlovich moved the House reconsider its action on SB 18 taken on second reading the previous legislative day. Motion carried.

Representative Pavlovich moved SB 18 be taken from second reading and rereferred to the Committee on Business and Economic Development. Motion carried.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Whalen in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Representatives Good, Harper, Kilpatrick, and Marks excused at this time.

HJR 13 - Representative Ream moved HJR 13 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Brooke, J. Brown, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harrington, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kimberley, Knapp, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 81

Noes: Campbell, Cobb, DeBruycker, Grinde.
Total 4

Excused: Boharski, Bradley, D. Brown, Driscoll, Good, Harper, Iverson, Kilpatrick, Koehnke, Marks, Quilici.
Total 11

Absent or not voting: Bardanouve, Clark, Patterson, Strizich.
Total 4

HB 308 - Representative Squires moved Senate amendments to HB 308 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Brooke, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harrington, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kimberley, Knapp, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 86

Noes: None.
Total 0

Excused: Boharski, Bradley, D. Brown, Driscoll, Good, Harper, Iverson, Kilpatrick, Koehnke, Marks, Quilici.
Total 11

Absent or not voting: Bardanouve, Clark, Patterson.

Total 3

HB 374 - Representative Peck moved Senate amendments to HB 374 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, J. Brown, Campbell, Clark, Cobb, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harrington, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kimberley, Knapp, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 80

Noes: Brooke, Cocchiarella, Eudaily, Owens, Ream, Stang.

Total 6

Excused: Boharski, Bradley, D. Brown, Driscoll, Good, Harper, Iverson, Kilpatrick, Koehnke, Marks, Quilici.

Total 11

Absent or not voting: Bardanouve, Lee, Patterson.

Total 3

Representatives Good and Marks present at this time.

HB 449 - Representative Schye moved Senate amendments to HB 449 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harrington, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kimberley, Knapp, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 86

Noes: None.

Total 0

Excused: Boharski, Bradley, D. Brown, Driscoll, Good, Harper, Iverson, Kilpatrick, Koehnke, Marks, Quilici.

Total 11

Absent or not voting: Bardanouve, Lee, Patterson.

Total 3

HB 496 - Representative Nisbet moved Senate amendments to HB 496 be not concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen,

March 14, 1989

Hanson, Harrington, Hayne, Johnson, Kadas, Kasten, Keller, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 88

Noes: Hoffman, Thomas.
Total 2

Excused: Boharski, Bradley, D. Brown, Driscoll, Harper, Iverson, Kilpatrick, Koehnke, Quilici.
Total 9

Absent or not voting: Bardanouve.
Total 1

SB 286 - Representative Campbell moved SB 286 be concurred in.
Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Brooke, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hanson, Harrington, Hayne, Johnson, Kadas, Kasten, Keller, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 84

Noes: Hansen.
Total 1

Excused: Boharski, Bradley, D. Brown, Driscoll, Harper, Iverson, Kilpatrick, Koehnke, Quilici.
Total 9

Absent or not voting: Bardanouve, Cobb, Eudaily, Grady, Hoffman, Phillips.
Total 6

Representative Wallin excused at this time.

SB 297 - Representative Phillips moved SB 297 be concurred in. Motion carried as follows:

Ayes: Aafedt, Bachini, Blotkamp, Brooke, J. Brown, Campbell, Clark, Cocchiarella, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harrington, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Smith, Spaeth, Spring, Squires, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Westlake, Whalen, Zook, Mr. Speaker.

Total 81

Noes: Addy, Cody, Cohen, Schye, Simpkins, Stang, Wyatt.

Total 7

Excused: Boharski, Bradley, D. Brown, Driscoll, Harper, Iverson, Kilpatrick, Koehnke, Quilici, Wallin.

Total 10

Absent or not voting: Bardanouve, Cobb.

Total 2

Representatives Eudaily, Gilbert, Glaser, Grinde, R. Nelson, Phillips, Ramirez, Simpkins, Spring, Thomas, and Zook excused at this time.

Representatives Boharski, D. Brown, Kilpatrick, Koehnke, and Quilici present at this time.

SB 317 - Representative Brooke moved SB 317 be concurred in. Motion failed as follows:

Ayes: Aafedt, Addy, Bardanouve, Blotkamp, Brooke, D. Brown, J. Brown, Campbell, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, Elliott, Gervais, Good, Hansen, Harrington, Johnson, Kadas, Kilpatrick, Kimberley, McCormick, McDonough, Menahan, Moore, L. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Quilici, Raney, Russell, Schye, Spaeth, Stickney, Strizich, Whalen, Wyatt, Mr. Speaker.

Total 42

Noes: Bachini, Boharski, Clark, Cobb, Cody, Compton, DeBruycker, DeMars, Ellison, Giacometto, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Kasten, Keller, Knapp, Koehnke, Lee, Marks, Mercer, T. Nelson, Owens, Patterson, Peck, Peterson, Ramirez, Ream, Rehberg, Rice, Roth, Simon, Smith, Squires, Stang, Stepler, Swift, Swysgood, Thoft, Westlake.

Total 45

Paired: Harrington, Kadas, Wyatt, Ayes; Glaser, Grinde, Ramirez, Noes.

Excused: Bradley, Driscoll, Eudaily, Gilbert, Harper, Iverson, R. Nelson, Phillips, Simpkins, Spring, Thomas, Wallin, Zook.

Total 13

Absent or not voting: None.

Total 0

Representative Ramirez present at this time.

SB 331 - Representative Spaeth moved SB 331 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, Elliott, Ellison, Gervais, Giacometto, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harrington, Hayne, Hoffman, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Westlake, Whalen, Wyatt.

Total 80

Noes: Boharski, DeMars, Mr. Speaker.

Total 3

Excused: Bradley, Driscoll, Eudaily, Gilbert, Glaser, Grinde, Harper, Iverson, R. Nelson, Phillips, Simpkins, Spring, Thomas, Wallin, Zook.

Total 15

Absent or not voting: Cobb, Kadas.

Total 2

Representative Spaeth excused at this time.

SB 338 - Representative Strizich moved SB 338, third reading copy, be amended as follows:

1. Title, line 9.

Following: "WORK" on line 9

Strike: " ," on line 9 through "MCA" on line 11

2. Page 1, line 7.

Following: "UNKNOWN;"

Insert: "AND"

3. Page 2, line 23 through page 3, line 9.

Strike: section 2 in its entirety

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Gervais, Giacometto, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harrington, Hayne, Hoffman, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Smith, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 83

Noes: None.

Total 0

Excused: Bradley, Driscoll, Eudaily, Gilbert, Glaser, Grinde, Harper, Iverson, R. Nelson, Phillips, Simpkins, Spaeth, Spring, Thomas, Wallin, Zook.

Total 16

Absent or not voting: Kadas.

Total 1

Representative Rice moved SB 338, as amended, be concurred in.
Motion carried as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, DeBruycker, DeMars, Elliott, Ellison, Gervais, Giacometto, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harrington, Hayne, Hoffman, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens,

Patterson, Pavlovich, Peck, Peterson, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Smith, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Westlake, Whalen, Wyatt, Mr. Speaker.
Total 78

Noes: Addy, Davis, Stepler.
Total 3

Excused: Bradley, Driscoll, Eudaily, Gilbert, Glaser, Grinde, Harper, Iverson, R. Nelson, Phillips, Simpkins, Spaeth, Spring, Thomas, Wallin, Zook.
Total 16

Absent or not voting: Kadas, Marks, Quilici.
Total 3

SB 356 - Representative O'Keefe moved SB 356 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connolly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Gervais, Giacometto, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harrington, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Schye, Simon, Smith, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Westlake, Whalen, Wyatt, Mr. Speaker.
Total 81

Noes: Peck.
Total 1

Excused: Bradley, Driscoll, Eudaily, Gilbert, Glaser, Grinde, Harper, Iverson, R. Nelson, Phillips, Simpkins, Spaeth, Spring, Thomas, Wallin, Zook.
Total 16

Absent or not voting: D. Brown, Russell.
Total 2

SB 377 - Representative Strizich moved SB 377 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Gervais, Giacometto, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harrington, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Smith, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Westlake, Whalen, Wyatt, Mr. Speaker.
Total 81

Noes: Cohen.
Total 1

Excused: Bradley, Driscoll, Eudaily, Gilbert, Glaser, Grinde, Harper, Iverson, R. Nelson, Phillips, Simpkins, Spaeth, Spring, Thomas, Wallin, Zook.

Total 16

Absent or not voting: Bardanouve, Connelly.

Total 2

SB 386 - Representative Mercer moved SB 386 be placed at the bottom of the second reading board. Motion carried.

SB 387 - Representative Hayne moved SB 387 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Gervais, Giacometto, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harrington, Hayne, Hoffman, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Smith, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 82

Noes: None.

Total 0

Excused: Bradley, Driscoll, Eudaily, Gilbert, Glaser, Grinde, Harper, Iverson, R. Nelson, Phillips, Simpkins, Spaeth, Spring, Thomas, Wallin, Zook.

Total 16

Absent or not voting: D. Brown, Kadas.

Total 2

Representatives Driscoll, Eudaily, Grinde, Gilbert, R. Nelson, Wallin, Simpkins, Spring, Phillips, and Zook present at this time.

SB 395 - Representative Ream moved SB 395 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harrington, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Bradley, Glaser, Harper, Iverson, Spaeth, Thomas.

Total 6

Absent or not voting: Grinde, Ramirez.

Total 2

SB 406 - Representative Swysgood moved SB 406, third reading copy, be amended as follows:

1. Page 8, line 7.

Following: line 6

Insert: "(e) using 2% of exotic wagering on live racing to be immediately and equally distributed to all purses except stakes races;"

Renumber: subsequent subsections

2. Page 12, line 10.

Strike: "22%"

Insert: "24%"

Amendment passed as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Hayne, Hoffman, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spring, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 85

Noes: Addy, Cohen, Steppler.

Total 3

Excused: Bradley, Glaser, Harper, Iverson, Spaeth, Thomas.

Total 6

Absent or not voting: D. Brown, Harrington, Kadas, Ramirez, Schye, Squires.

Total 6

Representatives Glaser and Thomas present at this time.

Representative Swysgood moved SB 406, as amended, be concurred in. Motion carried as follows:

Ayes: Aafedt, Bachini, Blotkamp, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Guthrie, Hansen, Hanson, Harrington, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Marks, McCormick, McDonough, Menahan, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ream, Rehberg, Roth, Schye, Simpkins, Smith, Spring, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 73

Noes: Addy, Bardanouve, Boharski, Cobb, Cohen, Elliott, Ellison, Good, Hannah, Hayne, Kasten, Koehnke, Lee, Mercer, R. Nelson, O'Keefe, Ramirez, Raney, Rice, Simon, Steppler, Zook.

Total 22

Paired: Iverson, Aye; Hannah, No.

Excused: Bradley, Harper, Spaeth.

Total 3

Absent or not voting: Grinde, Russell.

Total 2

Representatives Bradley and Harper present at this time.

SB 413 - Representative Hansen moved SB 413 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Elliott, Eudaily, Gervais, Glaser, Good, Gould, Grady, Guthrie, Hansen, Harper, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Smith, Spring, Squires, Stang, Stickney, Strizich, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 72

Noes: Boharski, Cobb, Driscoll, Ellison, Giacometto, Gilbert, Hannah, Hanson, Harrington, Hayne, Hoffman, Koehnke, R. Nelson, Patterson, Phillips, Ramirez, Simon, Simpkins, Stepler, Swift, Swysgood, Thoft, Thomas.
Total 23

Excused: Iverson, Spaeth.

Total 2

Absent or not voting: Daily, Grinde, Marks.

Total 3

Representative Quilici moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Whalen moved the adoption of the committee report.

Representative Wallin made a substitute motion SB 317 be segregated from the Committee of the Whole report and the remainder of the report be adopted. Motion failed. (46-49)

Thereupon, the Committee of the Whole report was adopted. (87-7)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 525 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kimberley, Knapp, Koehnke, Lee, Marks, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck,

Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 91

Noes: None.

Total 0

Excused: Iverson, Spaeth.

Total 2

Absent or not voting: Gilbert, Guthrie, Kilpatrick, McCormick, Owens, Smith, Zook.

Total 7

HB 172, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Cocchiarella, Grady, O'Keefe.

Total 3

Excused: Iverson, Spaeth.

Total 2

Absent or not voting: Cohen, Peck.

Total 2

HB 231, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Iverson, Spaeth.

Total 2

Absent or not voting: Ellison.

Total 1

HB 248, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Iverson, Spaeth.

Total 2

Absent or not voting: Elliott.

Total 1

HB 345, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: Peck.

Total 1

Excused: Iverson, Spaeth.

Total 2

Absent or not voting: None.

Total 0

HB 347, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars,

Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Iverson, Spaeth.

Total 2

Absent or not voting: None.

Total 0

HB 388, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Koehnke, O'Keefe, Raney.

Total 3

Excused: Iverson, Spaeth.

Total 2

Absent or not voting: Kadas.

Total 1

HB 446, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Bradley, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Ellison, Eudaily, Gervais, Giacometto, Good, Gould, Grady, Guthrie, Hansen, Harper, Harrington, Hoffman, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Moore, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Phillips, Quilici, Ream, Rehberg, Roth, Russell, Simpkins, Smith, Squires, Stang, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook.

Total 66

Noes: Bardanouve, Boharski, Brooke, Campbell, Cobb, Cohen, Compton, DeBruycker, Elliott, Gilbert, Glaser, Grinde, Hannah, Hanson, Hayne, Lee,

Mercer, L. Nelson, R. Nelson, T. Nelson, Patterson, Peterson, Ramirez, Raney, Rice, Schye, Simon, Spring, Steppler, Stickney, Thomas, Mr. Speaker.

Total 32

Excused: Iverson, Spaeth.

Total 2

Absent or not voting: None.

Total 0

HB 573, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanoue, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harrington, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Roth, Russell, Schye, Simon, Smith, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 83

Noes: Boharski, Cohen, Elliott, Good, Hannah, Harper, Hayne, Hoffman, Kasten, Lee, Marks, Ramirez, Rice, Simpkins.

Total 14

Excused: Iverson, Spaeth.

Total 2

Absent or not voting: Pavlovich.

Total 1

SB 215 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanoue, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: Grady.

Total 1

Excused: Iverson, Spaeth.

Total 2

Absent or not voting: None.

Total 0

SB 219 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, Driscoll, Elliott, Eudaily, Gervais, Gilbert, Glaser, Gould, Hansen, Hanson, Harper, Harrington, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rice, Roth, Russell, Schye, Simon, Smith, Spring, Squires, Stang, Stepler, Stickney, Strizich, Wallin, Whalen, Wyatt, Mr. Speaker.

Total 76

Noes: Campbell, Cobb, DeMars, Ellison, Giacometto, Good, Grady, Grinde, Guthrie, Hannah, Hayne, Hoffman, Kasten, Rehberg, Simpkins, Swift, Swysgood, Thoft, Thomas, Westlake, Zook.

Total 21

Excused: Iverson, Spaeth.

Total 2

Absent or not voting: Phillips.

Total 1

SB 249 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Harper, Harrington, Hayne, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: Cocchiarella, DeBruycker, Hansen, Hoffman, Koehnke, Phillips, Ream, Spring, Squires.

Total 9

Excused: Iverson, Spaeth.

Total 2

Absent or not voting: None.

Total 0

SB 287 concurred in as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cohen, Connelly, Daily, Davis, Driscoll, Elliott, Eudaily, Gervais, Grady, Hansen, Harper, Harrington, Johnson, Kadas, Kilpatrick, Kimberley, McCormick, McDonough, Menahan, Moore, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Ream, Russell, Schye, Spaeth, Squires, Stang, Stickney, Strizich, Swysgood, Whalen, Wyatt, Zook, Mr. Speaker.

Total 50

Noes: Aafedt, Boharski, Campbell, Clark, Cody, Compton, DeBruycker, DeMars, Ellison, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Iverson, Kasten, Keller, Knapp, Koehnke, Lee, Marks, Mercer, L. Nelson, R. Nelson, T. Nelson, Owens, Patterson, Peterson, Ramirez, Raney, Rehberg, Rice, Roth, Simon, Simpkins, Smith, Spring, Stepler, Swift, Thoft, Thomas, Wallin, Westlake.
Total 49

Paired: Spaeth, Zook, Ayes; Iverson, Rehberg, Noes.

Excused: None.

Total 0

Absent or not voting: Darko.

Total 1

SB 303 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Darko, Davis, DeMars, Driscoll, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: Cohen, DeBruycker, Giacometto, Hannah.

Total 4

Excused: Iverson, Spaeth.

Total 2

Absent or not voting: Daily, Elliott, Hoffman, Rice.

Total 4

SB 305 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: DeBruycker.

Total 1

Excused: Iverson, Spaeth.

Total 2

Absent or not voting: None.

Total 0

SB 322 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Iverson, Spaeth.

Total 2

Absent or not voting: None.

Total 0

SB 333 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Iverson, Spaeth.

Total 2

Absent or not voting: None.

Total 0

SB 351 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper,

Harrington, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: Roth.

Total 1

Excused: Iverson, Spaeth.

Total 2

Absent or not voting: None.

Total 0

SB 357 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Owens.

Total 1

Excused: Iverson, Spaeth.

Total 2

Absent or not voting: DeBruycker.

Total 1

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

3/14/89

Correctly enrolled: HB 33, HB 89, HB 155, HB 183, HB 189, HB 265, HB 276, HB 360, HB 405, HB 487, HB 675, HB 684, HJR 22.

Examined by the sponsors and found to be correct:

HB 33 - Pavlovich

HB 89 - Peck

HB 155 - Smith

HB 183 - Roth

HB 189 - Rice

HB 265 - Strizich

HB 276 - Patterson

HB 360 - Connelly

HB 405 - Schye

HB 487 - McDonough

HB 675 - Spaeth

HB 684 - Grinde

HJR 22 - Ream

Signed by the Speaker at 3:00 p.m., 3/14/89: HB 133, HB 190, HB 348, HB 391, HB 423, SB 3, SB 21, SB 29, SB 39, SB 40, SB 49, SB 52, SB 85, SB 115, SB 124, SB 135, SB 141, SB 146, SB 150, SB 157, SB 175, SB 176, SB 181, SB 183, SB 213, SB 221, SB 222, SB 227, SB 233, SB 243, SB 258, SB 259, SB 280, SB 304, SB 324, SB 364, SB 365, SB 366.

Delivered to the Governor for his approval at 8:30 a.m., 3/14/89: HB 62, HB 74, HB 119, HB 212, HB 262, HB 402.

BUSINESS AND ECONOMIC DEVELOPMENT (Pavlovich, Chairman):

3/14/89

HB 736, introduced bill, be amended as follows:

1. Title, line 6.

Following: "61-3-313"

Strike: "AND"

Insert: ", 61-3-502,"

Following: "61-3-504,"

Insert: "AND 61-4-112,"

2. Page 1, line 13.

Following: "its"

Strike: "fleet of"

3. Page 1, line 15.

Strike: "of the fleet"

4. Page 1, lines 20 and 21.

Following: "25" on line 20

Strike: remainder of line 20 through "state" on line 21

Insert: "automobiles or trucks having a rated capacity of three-quarters of a ton or less that are rented or offered for rental without drivers and that are designated by a rental owner as a rental fleet"

5. Page 2.

Following: line 14

Insert: "Section 3. Section 61-3-502, MCA, is amended to read:

"61-3-502. Sales tax on new motor vehicles — exemptions. (1) In consideration of the right to use the highways of the state, there is imposed a tax upon all sales of new motor vehicles, excluding trailers, semitrailers, and house trailers, for which a license is sought and an original application for title is made. The tax ~~shall~~ must be paid by the purchaser when he applies for his original Montana license through the county treasurer.

(2) Except as provided in ~~subsection~~ subsections (4) and (5), the sales tax ~~shall be~~ is:

(a) 1% of the f.o.b. factory list price or f.o.b. port-of-entry list price, during the first quarter of the year or for a registration period other than a calendar year or calendar quarter;

(b) 1 ½% of the list price during the second quarter of the year;

(c) ¾ of 1% during the third quarter of the year;

(d) ¾ of 1% during the fourth quarter of the year.

(3) If the manufacturer or importer fails to furnish the f.o.b. factory list price or f.o.b. port-of-entry list price, the department may use published price lists.

(4) The new car sales tax on vehicles subject to the provisions of 61-3-313 through 61-3-316 is 1% of the f.o.b. factory list price or f.o.b. port-of-entry list price regardless of the month in which the new vehicle is purchased.

(5) The sales tax on new motor vehicles registered as part of a fleet under [section 1] is $\frac{3}{4}$ of 1% of the f.o.b. factory list price or f.o.b. port-of-entry list price.

(5)(6) The proceeds from this tax ~~shall~~ must be remitted to the state treasurer every 30 days for credit to the state highway account of the state special revenue fund.

(6)(7) The new vehicle is not subject to any other assessment, fee in lieu of tax, or tax during the calendar year in which the original application for title is made.

(7)(8) (a) The applicant for original registration of any new and unused motor vehicle, or a new motor vehicle furnished without charge by a dealer to a school district for use as a traffic education motor vehicle by a school district operating a state-approved traffic education program within the state, whether or not previously licensed or titled to the school district (except a mobile home as defined in 15-1-101(1)), acquired by original contract after January 1 of any year, is required, whenever the vehicle has not been otherwise assessed, to pay the motor vehicle sales tax provided by this section irrespective of whether the vehicle was in the state of Montana on January 1 of the year.

(b) No motor vehicle may be registered or licensed under the provisions of this subsection unless the application for registration is accompanied by a statement of origin to be furnished by the dealer selling the vehicle, showing that the vehicle has not previously been registered or owned, except as otherwise provided herein, by any person, firm, corporation, or association that is not a new motor vehicle dealer holding a franchise or distribution agreement from a new car manufacturer, distributor, or importer.

(8)(9) (a) Motor vehicles operating exclusively for transportation of persons for hire within the limits of incorporated cities or towns and within 15 miles from such limits are exempt from subsection (1).

(b) Motor vehicles brought or driven into Montana by a nonresident, migratory, bona fide agricultural worker temporarily employed in agricultural work in this state where those motor vehicles are used exclusively for transportation of agricultural workers are also exempt from subsection (1).

(c) Vehicles lawfully displaying a licensed dealer's plate as provided in 61-4-103 are exempt from subsection (1) when moving to or from a dealer's place of business when unloaded or loaded with dealer's property only, and in the case of vehicles having a gross loaded weight of less than 24,000 pounds, while being demonstrated in the course of the dealer's business.""

Renumber: subsequent sections

Following: line 9

Insert: "Section 5. Section 61-4-112, MCA, is amended to read:

"61-4-112. New motor vehicles — transfers by dealers. (1) When a motor vehicle dealer transfers a new motor vehicle to a purchaser or other recipient, the dealer shall:

(a) issue and affix a sticker as prescribed in 61-4-111(1)(a) for transfers of used motor vehicles and retain a copy of the sticker;

(b) within 4 working days following the date of delivery of the new motor vehicle, forward to the county treasurer of the county where the purchaser or recipient resides:

(i) one copy of the sticker issued under subsection (1)(a);

(ii) an application for certificate of title with a notice of security interest, if any, executed by the purchaser or recipient; and

(iii) a statement of origin as prescribed in 61-3-502(7)(b)(8)(b).

(2) Upon receipt from the county treasurer of the documents required under subsection (1), the department shall issue a certificate of ownership and certificate of registration together with a statement of lien as provided in 61-3-202."

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

SB 207, third reading copy, be amended as follows:

1. Page 1, line 14.

Following: "duties"

Insert: "— limitation of landlord's liability for failure of smoke detector"

2. Page 2, line 15.

Following: "install"

Insert: ", in accordance with rules adopted by the state fire marshal,"

3. Page 4.

Following: line 1

Insert: "(5) (a) The landlord is not liable for damages:

(i) caused as a result of the failure of the smoke detector required under subsection (1)(g) to operate properly unless:

(A) the tenant notified the landlord that the smoke detector was defective and the landlord failed, within a reasonable period of time, to replace the smoke detector; and

(B) the damages would not have occurred if the smoke detector had been operable; or

(ii) if the smoke detector operated as designed by the manufacturer.

(b) The failure of a battery is not considered a defect of a smoke detector, and the replacement of a battery in a smoke detector is the responsibility of the tenant.

NEW SECTION. Section 2. Extension of authority. Any existing authority to make rules on the subject of the provisions of [this act] is extended to the provisions of [this act]."

Renumber: subsequent sections

And, as amended, be concurred in. Report adopted.

SB 313, be concurred in. Report adopted.

HUMAN SERVICES AND AGING (Hansen, Chairman): 3/14/89

SB 214, be concurred in. Report adopted.

SB 407, be concurred in. Report adopted.

SB 437, third reading copy, be amended as follows:

1. Page 8, lines 17 through 21.

Following: "(1)"

Strike: remainder of line 17 through "if" on line 21

Insert: "Immediately prior to donation of an organ, semen, or tissues,
HIV-related testing of a prospective donor is required unless"

Re-number: subsequent subsection

2. Page 11, line 16.

Strike: "attorney general"

Insert: "department"

And, as amended, be concurred in. Report adopted.

SB 454, be concurred in. Report adopted.

SJR 14, be concurred in. Report adopted.

JUDICIARY (D. Brown, Chairman): 3/14/89

SB 105, third reading copy, be amended as follows:

1. Title, line 5.

Following: "JUSTICE TO"

Insert: ", WITH CERTAIN CONDITIONS AND RESTRICTIONS,"

2. Title, line 7.

Strike: "SECTION"

Insert: "SECTIONS"

3. Title, line 8.

Following: "2-6-109"

Insert: "AND 61-5-107"

4. Page 2, line 11.

Strike: "2"

Insert: "3"

5. Page 2, line 25.

Following: "460,"

Insert: "and after the federal government agrees in writing that it will
not refuse to give the state federal highway money if the state lowers
the age for purchase, possession, and consumption of alcoholic beverages
to less than 21,"

6. Page 2, line 23.

Following: line 22

Insert: "Section 2. Section 61-5-107, MCA, is amended to read:

"61-5-107. Application for license, instruction permit, commercial vehicle operator's endorsement, or motorcycle endorsement. (1) Every application for an instruction permit, driver's license, commercial vehicle operator's endorsement, or motorcycle endorsement shall be made upon a form furnished by the department. A motorcycle endorsement is required for the operation of a quadricycle. Every application shall be accompanied by the proper fee, and payment of

such fee shall entitle the applicant to not more than three attempts to pass the examination within a period of 6 months from the date of application.

(2) Every such application shall state the full name, date of birth, sex, and residence address of the applicant, and briefly describe the applicant, and shall state whether the applicant has previously been licensed as a driver or commercial vehicle operator, and, if so, when and by what state or country, and whether any such license has ever been suspended or revoked, or whether an application has ever been refused, and, if so, the date of and reason for such suspension, revocation, or refusal.

(3) Whenever application is received from an applicant previously licensed by any other jurisdiction, the department shall request a copy of such applicant's driving record from such previous licensing jurisdiction. When received, such driving records shall become a part of the driver's record in this state with the same force and effect as though entered on the driver's record in this state in the original instance.

(4) The application must clearly disclose that state law allows the department to disseminate information on the application or the license, or both, in the form of lists of and information regarding applicants and licensees. The application must list each reason for which state law allows a list to be disseminated and the person or entity to whom it may be disseminated. As to each reason, the application must allow the applicant to refuse to have his name or information regarding him disseminated. An applicant's exercise of this right may not be used in any way to delay, condition, or deny the grant of a license."

Renumber: subsequent sections

7. Page 3, line 5.

Following: "seq.)."

Insert: "The department shall notify the persons that information regarding them was released to the selective service system."

8. Page 3, line 6.

Following: "security"

Insert: "or driver's license"

9. Page 3, lines 13 and 15.

Strike: "2"

Insert: "3"

And, as amended, be concurred in. Report adopted.

SB 106, third reading copy, be amended as follows:

1. Page 1, line 25.

Strike: "and"

Following: "execution"

Insert: ", and the duration of the warrant"

And, as amended, be concurred in. Report adopted.

SB 107, third reading copy, be amended as follows:

1. Page 2, line 13.

Following: "made"

Insert: "of and base any recommendation it makes on"

2. Page 2, line 14.

Strike: "of"

3. Page 2, line 16.

Strike: "as to"

4. Page 2, lines 19 and 20.

Strike: "ANY" on line 19 through "CRITERIA." on line 20

And, as amended, be concurred in. Report adopted.

SB 108, third reading copy, be amended as follows:

1. Page 2, line 23.

Strike: "and"

2. Page 2, line 24.

Following: "execution"

Insert: ", and the duration of the warrant"

And, as amended, be concurred in. Report adopted.

NATURAL RESOURCES (Raney, Chairman):

3/14/89

SB 321, be concurred in. Report adopted.

SB 447, be concurred in. Report adopted.

SB 450, third reading copy, be amended as follows:

1. Page 3, lines 20 and 21.

Strike: "BY" on line 20 through the first "SUPPLY" on line 21

2. Page 10, line 22.

Strike: "Department"

Insert: "If the salvage of water involves a change in appropriation right, department"

3. Page 11.

Following: line 1

Insert: "(6) Salvaged water may be transferred to an instream purpose, or leased for an instream purpose if the lease is authorized by law, upon approval by the department as provided in subsection (4)."

And, as amended, be concurred in. Report adopted.

STATE ADMINISTRATION (J. Brown, Chairman):

3/14/89

SB 427, third reading copy, be amended as follows:

1. Page 7, lines 15 and 16.

Strike: "of" on line 15 through "estimates" on line 16

2. Page 8, line 3.

Strike: "petitioners"

3. Page 8, line 23.

Strike: "\$500"

Insert: "\$2,000. The fee must be used by the committee to pay the cost of the review, and any unused portion must be refunded to the applicant"

And, as amended, be concurred in. Report adopted.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 776, introduced by Connelly (by request of the Department of Natural Resources and Conservation), referred to Committee on Appropriations

HB 777, introduced by Connelly, Walker, Manning, Thoft, Bardanouve, Spaeth (by request of the Department of Administration), referred to Committee on Appropriations

HJR 31, introduced by Westlake, Bachini, Beck, Boylan, Devlin, Williams, T. Nelson, Bengtson, Steppler, Blotkamp, Jergeson, Weeding, Driscoll, Johnson, Koehnke, Roth, Elliott, D. Brown, DeMars, Guthrie, Zook, Kasten (by request of the House Agriculture, Livestock, and Irrigation Committee), referred to Committee on Agriculture, Livestock, and Irrigation

HJR 32, introduced by Ream, Elliott, Blotkamp, Quilici, Cohen, Raney, Pavlovich, Daily, Strizich, Gervais, Whalen, Kimberley, Addy, Ellison, Harper, Spaeth, Russell, Stickney Kilpatrick, Kasten, Keller (by request of the House Fish and Game Committee), referred to Committee on Fish and Game

MOTIONS

Representative Connelly moved HB 560 be taken from the table in the Committee on Taxation and be printed and placed on second reading. Motion carried.

Representative Ream moved SB 446 be taken from the Committee on Fish and Game and rereferred to the Committee on Judiciary. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved the House adjourn until 12:30 p.m., Wednesday, March 15, 1989.

Motion carried.

House adjourned at 3:55 p.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

SIXTIETH LEGISLATIVE DAY

Helena, Montana
March 15, 1989

House Chambers
State Capitol

House convened at 12:30 p.m., Mr. Speaker in the Chair. Invocation by Representative L. Nelson. Pledge of Allegiance to the Flag.

Roll call. All members present except Bradley and Spaeth, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 3/15/89

Correctly printed: HB 44, HB 54, HB 325, HB 373, HB 390, HB 463, HB 736.

Correctly engrossed: HJR 13, SB 286, SB 297, SB 331, SB 338, SB 356, SB 377, SB 395, SB 406, SB 413.

Signed by the Speaker at 7:00 p.m., 3/14/89: HB 33, HB 89, HB 155, HB 183, HB 189, HB 265, HB 276, HB 360, HB 405, HB 487, HB 675, HB 684, HJR 22.

Signed by the Speaker at 9:00 a.m., 3/15/89: SB 5, SB 118, SB 140, SB 147, SB 200, SB 300, SB 320.

Delivered to the Governor for his approval at 9:15 a.m., 3/15/89: HB 133, HB 190, HB 348, HB 391, HB 423.

Delivered to the Governor for his approval at 11:05 a.m., 3/15/89: HB 33, HB 89, HB 155, HB 183, HB 189, HB 265, HB 276, HB 360, HB 405, HB 487, HB 675, HB 684.

FISH AND GAME (Ream, Chairman): 3/15/89

SB 250, be concurred in. Report adopted.

SB 260, be concurred in. Report adopted.

SB 388, third reading copy, be amended as follows:

1. Page 5, line 4.

Strike: "shall"

Insert: "may"

2. Page 5.

Following: line 23

Insert: "(6) execute contracts or cooperative agreements with federal, state, or local agencies, persons, partnerships, associations, or corporations for the purpose of administering the requirements of [this act];"

Renumber: subsequent subsections

And, as amended, be concurred in. Report adopted.

HIGHWAYS AND TRANSPORTATION (Stang, Chairman): 3/15/89

HB 709, do pass. Report adopted.

SB 62, be concurred in. Report adopted.

SB 94, third reading copy, be amended as follows:

1. Page 6, line 21.

Following: "restaurants,"

Insert: "campgrounds,"

2. Page 9, line 11.

Strike: "or advertises on"

3. Page 9, line 14.

Following: "sign"

Insert: "for 1 year after the illegal outdoor advertising structure is removed unless the owner voluntarily removes it within 45 days of receiving notification under 75-15-131"

4. Page 13, line 9.

Strike: "or advertises on"

5. Page 13, line 12.

Following: "sign"

Insert: "for 1 year after the illegal outdoor advertising structure is removed unless the owner voluntarily removes it within 45 days of receiving notification under 75-15-131"

And, as amended, be concurred in. Report adopted.

SB 355, be concurred in. Report adopted.

SB 389, third reading copy, be amended as follows:

1. Page 13, line 20.

Strike: "\$108"

Insert: "\$120"

And, as amended, be concurred in. Report adopted.

SB 449, third reading copy, be amended as follows:

1. Page 2, line 15.

Strike: "1 ½ times"

2. Page 2, lines 15 and 16.

Strike: "average retail"

3. Page 2, lines 16 and 17.

Strike: "by the department of revenue"

Insert: "under the provisions of 61-3-503(1)(c) for the year in which the application for certificate of title is made"

And, as amended, be concurred in. Report adopted.

TAXATION (Harrington, Chairman):

3/14/89

HB 163, introduced bill, be amended as follows:

1. Title, lines 6 and 7.

Following: "FEE," on line 6

Strike: the remainder of line 6 through "TAX," on line 7

2. Title, line 9.

Following: "RETAILER'S LICENSE TAX,"

Insert: "AND"

3. Title, lines 10 and 11.

Following: "TAX" on line 10

Strike: the remainder of line 10 through "TAX" on line 11

4. Title, lines 12 and 13.

Following: "REPEALING" on line 12

Strike: "TITLE 15, CHAPTER 37, PART 2;"

5. Title, line 14.

Strike: "23-2-714, 23-2-715,"

6. Page 2, lines 12 and 13.

Following: "Repealer." on line 12

Strike: "Title 15, chapter 37, part 2;"

7. Page 2, line 14.

Strike: "23-2-714, 23-2-715,"

And, as amended, do pass. Report adopted.

Representatives Iverson, Schye, and Westlake excused at this time.

ADVERSE COMMITTEE REPORT

SB 136 - Representative Schye moved the 3/14/89 adverse committee report on SB 136 be adopted. Motion carried as follows:

Ayes: Addy, Bachini, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cocchiarella, Cody, Cohen, Connelly, Daily, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Glaser, Good, Grady, Hansen, Harper, Harrington, Hoffman, Johnson, Kadas, Kilpatrick, Knapp, Koehnke, McCormick, Menahan, Moore, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Quilici, Ramirez, Ream, Russell, Schye, Simpkins, Spaeth, Squires, Stang, Stickney, Westlake, Wyatt, Mr. Speaker.

Total 52

Noes: Aafedt, Bardanouve, Boharski, Clark, Cobb, Compton, Darko, DeBruycker, Ellison, Giacometto, Gilbert, Gould, Grinde, Guthrie, Hannah, Hanson, Hayne, Kasten, Keller, Kimberley, Lee, Marks, McDonough, Mercer, L. Nelson, R. Nelson, T. Nelson, Owens, Patterson, Peterson, Phillips, Raney, Rehberg, Rice, Roth, Simon, Spring, Stepler, Swift, Swysgood, Thoft, Thomas, Wallin, Whalen, Zook.

Total 45

Paired: Bradley, Spaeth, Westlake, Ayes; Marks, Phillips, Spring, Noes.

Excused: Iverson.

Total 1

Absent or not voting: Smith, Strizich.

Total 2

Representatives Campbell, Cody, Nisbet, Raney, Simon, and Squires excused at this time.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:

3/14/89

HB 77, introduced by Thoft

HB 144, introduced by L. Nelson

HB 249, introduced by Glaser

HB 270, introduced by Ramirez

HB 377, introduced by Daily

HB 416, introduced by Hoffman

HB 443, introduced by Whalen

HB 453, introduced by Cody

HB 488, introduced by Brooke

HB 521, introduced by Good

HB 604, introduced by O'Connell

HB 636, introduced by Pavlovich

HB 683, introduced by Marks

House bills concurred in as amended and returned to the House for concurrence in Senate amendments:

3/14/89

HB 32, introduced by Daily

HB 247, introduced by Whalen

HB 375, introduced by Gould
HB 424, introduced by Grady
HB 541, introduced by Gould

Senate bills passed and transmitted to the House for concurrence: 3/14/89

SB 17, introduced by Beck
SB 43, introduced by Rapp-Svrcek
SB 51, introduced by Mazurek
SB 64, introduced by Halligan
SB 69, introduced by Pinsoneault
SB 122, introduced by Nathe
SB 229, introduced by Boylan
SB 237, introduced by Severson
SB 298, introduced by Farrell
SJR 6, introduced by Rapp-Svrcek

House bills not concurred in and returned to the House: 3/14/89

HB 324, introduced by Davis
HB 481, introduced by Spring

House bill indefinitely postponed and returned to the House: 3/14/89

HB 20, introduced by D. Brown

The Senate, on 3/11/89, failed to concur in House amendments to SB 173 and appointed a conference committee, requesting that the House appoint a like committee to confer on House amendments to SB 173.

President Galt appointed the following members:

Senator Bishop, Chairman
Senator Anderson
Senator Vaughn

The Senate, on 3/11/89, failed to concur in House amendments to SB 179 and appointed a conference committee, requesting that the House appoint a like committee to confer on House amendments to SB 179.

President Galt appointed the following members:

Senator Rasmussen, Chairman
Senator Thayer
Senator Walker

The Senate, on 3/11/89, failed to concur in House amendments to SB 314 and appointed a conference committee, requesting that the House appoint a like committee to confer on House amendments to SB 314.

President Galt appointed the following members:

Senator Hager, Chairman
Senator Hammond
Senator Regan

The Senate, on 3/11/89, failed to concur in House amendments to SB 330 and appointed a conference committee, requesting that the House appoint a like committee to confer on House amendments to SB 330.

President Galt appointed the following members:

Senator Beck, Chairman
Senator Noble

Senator Williams

MESSAGES FROM THE GOVERNOR

John Vincent
Speaker of the House
Montana House of Representatives
State Capitol
Helena, Montana 59620

March 14, 1989

Dear Representative Vincent:

Please be informed that I have signed House Bills 5, 175, 459, and 581 on March 14, 1989.

Sincerely,

STAN STEPHENS
Governor

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, Montana 59620

March 14, 1989

The Honorable Jack Galt
President of the Senate
State Capitol
Helena, Montana 59620

Dear Representative Vincent and Senator Galt:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return House Bill 227, "AN ACT TO REQUIRE THAT TRUSTEES OF A SCHOOL DISTRICT NOTIFY A TENURE TEACHER OF REELECTION BY MAY 1; AND AMENDING SECTION 20-4-205, MCA; AND PROVIDING AN APPLICABILITY DATE AND AN IMMEDIATE EFFECTIVE DATE," with the attached amendments for the following reasons.

House Bill 227 attempts to clarify the date when a tenured teacher must receive a reelection notice. Its intent is to make section 20-4-205, MCA, consistent with section 20-4-204, MCA, as amended by the 1987 Montana Legislature (Sec. 1, Chapter 510, Laws of Montana 1987).

House Bill 227, however, in its present form is confusing. Section 2 (Applicability Provision) appears to limit the application of the amendment to teacher contracts issued for the school fiscal year 1990 only. There have been a number of court challenges on the renewal notice date. This confusion would invite further litigation.

My proposed amendment would revise the applicability provision to make it clear that the act applies to teachers contracts issued for the school fiscal year 1990 and thereafter, thus making it consistent with section 20-4-204, MCA, for future years.

I urge your concurrence with this amendment.

Governor's Amendment to HB 227

1. Page 2, line 3.
Following: "1990"
Insert: "AND THEREAFTER."

Sincerely,

STAN STEPHENS
Governor

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bill was introduced, read first time, and referred to committee:

HB 778, introduced by Connelly (by request of the Long-Range Building Subcommittee), referred to Committee on Appropriations

MOTIONS

Representative Simpkins moved the House reconsider its action on SB 287 taken on third reading the previous legislative day.

Representative Addy made a substitute motion that the motion to reconsider be tabled. Motion carried.

Representative Mercer moved consideration of SB 386 be passed for the day. Motion carried.

Representatives Thoft and Swysgood excused at this time.

Representative Gould moved consideration of Senate amendments to HB 207 be passed for the day. Motion carried.

Representative Simpkins excused at this time.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Gilbert in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 69 - Representative DeBruycker moved Senate amendments to HB 69 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, J. Brown, Clark, Cocchiarella, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Smith, Spring, Stang, Steppler, Stickney, Strizich, Swift, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.
Total 77

Noes: Cohen, McCormick.
Total 2

Excused: Bradley, Campbell, Cobb, Cody, Grinde, Iverson, Nisbet, Raney, Simon, Simpkins, Spaeth, Squires, Swysgood, Thoft, Westlake.
Total 15

Absent or not voting: D. Brown, Gilbert, Kadas, Koehnke, Menahan, Schye.

Total 6

Representative Schye excused at this time.

HB 101 - Representative Daily moved Senate amendments to HB 101 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, J. Brown, Clark, Cocchiarella, Cohen, Compton, Connelly, Daily, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Smith, Spring, Stang, Stepler, Stickney, Strizich, Swift, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 79

Noes: None.

Total 0

Excused: Bradley, Campbell, Cobb, Cody, Darko, Grinde, Iverson, Nisbet, Raney, Schye, Simon, Simpkins, Spaeth, Squires, Swysgood, Thoft, Westlake.

Total 17

Absent or not voting: D. Brown, Grady, Harrington, Koehnke.

Total 4

HB 171 - Representative Swift moved Senate amendments to HB 171 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Brooke, J. Brown, Clark, Cocchiarella, Cohen, Compton, Connelly, Daily, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Smith, Spring, Stang, Stepler, Stickney, Strizich, Swift, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 77

Noes: None.

Total 0

Excused: Bradley, Campbell, Cobb, Cody, Darko, Grinde, Iverson, Nisbet, Raney, Schye, Simon, Simpkins, Spaeth, Squires, Swysgood, Thoft, Westlake.

Total 17

Absent or not voting: Bardanouve, D. Brown, Good, Grady, Kadas, Koehnke.

Total 6

HB 679 - Representative Grady moved Senate amendments to HB 679 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Brooke, J. Brown, Clark, Cocchiarella, Cohen, Compton, Connelly, Daily, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Grady, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Smith, Spring, Stang, Stepler, Stickney, Strizich, Swift, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 76

Noes: Giacometto.

Total 1

Excused: Bradley, Campbell, Cobb, Cody, Darko, Iverson, Nisbet, Raney, Schye, Simon, Simpkins, Spaeth, Squires, Swysgood, Thoft, Westlake.

Total 16

Absent or not voting: Bardanouve, D. Brown, Gould, Grinde, Hannah, Kadas, Koehnke.

Total 7

HB 680 - Representative Grady moved Senate amendments to HB 680 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Brooke, J. Brown, Clark, Cocchiarella, Cohen, Compton, Connelly, Daily, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Smith, Spring, Stang, Stepler, Stickney, Strizich, Swift, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 79

Noes: None.

Total 0

Excused: Bradley, Campbell, Cobb, Cody, Darko, Iverson, Nisbet, Raney, Schye, Simon, Simpkins, Spaeth, Squires, Swysgood, Thoft, Westlake.

Total 16

Absent or not voting: Bardanouve, D. Brown, Grinde, Hannah, Koehnke.

Total 5

Representative Simpkins present at this time.

Representative Swift excused at this time.

HB 712 - Representative Wallin moved HB 712 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Blotkamp, Boharski, J. Brown, Clark, Cohen, Compton, Connelly, Daily, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Gilbert, Glaser, Gould, Grady, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Moore, L. Nelson, R. Nelson, T. Nelson, O'Connell, O'Keefe, Owens, Pavlovich, Peterson, Quilici, Ream, Rice, Roth, Russell, Simpkins, Smith,

Spring, Stang, Stickney, Strizich, Thomas, Wallin, Whalen, Zook, Mr. Speaker.
Total 64

Noes: Bachini, Brooke, Cocchiarella, Ellison, Giacometto, Good, Hannah, Kasten, Mercer, Patterson, Peck, Phillips, Ramirez, Rehberg, Stepler, Wyatt.
Total 16

Excused: Bradley, Campbell, Cobb, Cody, Darko, Iverson, Nisbet, Raney, Schye, Simon, Spaeth, Squires, Swift, Swysgood, Thoft, Westlake.
Total 16

Absent or not voting: Bardanouve, D. Brown, Grinde, Koehnke.
Total 4

SJR 15 - Representative Eudaily moved SJR 15 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, D. Brown, J. Brown, Clark, Cohen, Compton, Connelly, Daily, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Simpkins, Smith, Spring, Stang, Stepler, Stickney, Strizich, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.
Total 78

Noes: Brooke, Cocchiarella, Davis, Grinde.
Total 4

Excused: Bradley, Campbell, Cobb, Cody, Darko, Iverson, Nisbet, Raney, Schye, Simon, Spaeth, Squires, Swift, Swysgood, Thoft, Westlake.
Total 16

Absent or not voting: Bardanouve, Koehnke.
Total 2

Representative Raney present at this time.

SJR 16 - Representative Harrington moved SJR 16 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, D. Brown, J. Brown, Clark, Compton, Connelly, Daily, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hoffman, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, R. Nelson, T. Nelson, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Raney, Rehberg, Roth, Russell, Simpkins, Smith, Spring, Stang, Stickney, Strizich, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.
Total 69

Noes: Brooke, Cocchiarella, Cohen, Davis, Hayne, Johnson, L. Nelson, Peck, Ramirez, Ream, Rice, Stepler.
Total 12

Excused: Bradley, Campbell, Cobb, Cody, Darko, Iverson, Nisbet, Schye, Simon, Spaeth, Squires, Swift, Swysgood, Thoft, Westlake.

Total 15

Absent or not voting: Bardanouve, Ellison, Good, Koehnke.

Total 4

HB 111 - Representative Harper moved HB 111 be placed below SB 321 on the second reading board. Motion carried.

SB 42 - Representative Mercer moved SB 42 be placed at the bottom of the second reading board. Motion carried.

SB 65 - Representative Harrington moved SB 65 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Compton, Connelly, Daily, Davis, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simpkins, Smith, Spring, Stang, Stepler, Stickney, Strizich, Thomas, Wallin, Whalen, Zook, Mr. Speaker.

Total 76

Noes: DeBruycker, Lee, Patterson, Phillips, Wyatt.

Total 5

Excused: Bradley, Campbell, Cobb, Cody, Darko, Grady, Iverson, Nisbet, Schye, Simon, Spaeth, Squires, Swift, Swysgood, Thoft, Westlake.

Total 16

Absent or not voting: Clark, Eudaily, Koehnke.

Total 3

SB 209 - Representative Quilici moved consideration of SB 209 be passed for the day. Motion carried.

SB 216 - Representative Stang moved SB 216, third reading copy, be amended as follows:

1. Title, line 5.

Strike: "AND"

2. Title, line 6.

Following: "MCA"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

3. Page 2.

Following: line 6

Insert: "Section 3. Effective date. [This act] is effective on passage and approval."

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Compton, Connelly, Daily, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson,

T. Nelson, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simpkins, Smith, Spring, Stang, Stepler, Stickney, Strizich, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 77

Noes: None.

Total 0

Excused: Bradley, Campbell, Cobb, Cody, Darko, Grady, Iverson, Nisbet, Schye, Simon, Spaeth, Squires, Swift, Swysgood, Thoft, Westlake.

Total 16

Absent or not voting: Bardanouve, Clark, Eudaily, Harrington, Johnson, Kadas, Koehnke.

Total 7

Representative Stang moved SB 216, as amended, be concurred in.
Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cohen, Compton, Connelly, Daily, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simpkins, Smith, Spring, Stang, Stepler, Stickney, Strizich, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 81

Noes: None.

Total 0

Excused: Bradley, Campbell, Cobb, Cody, Darko, Grady, Iverson, Nisbet, Schye, Simon, Spaeth, Squires, Swift, Swysgood, Thoft, Westlake.

Total 16

Absent or not voting: Bardanouve, Eudaily, Koehnke.

Total 3

Representative Campbell present at this time.

SB 242 - Representative Roth moved SB 242 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cohen, Compton, Connelly, Daily, Davis, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Gould, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simpkins, Smith, Spring, Stang, Stickney, Strizich, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 75

Noes: Campbell, DeBruycker, Good, Grinde, Marks, McCormick, Stepler.

Total 7

Excused: Bradley, Cobb, Cody, Darko, Grady, Iverson, Nisbet, Schye, Simon, Spaeth, Squires, Swift, Swysgood, Thoft, Westlake.
Total 15

Absent or not voting: Bardanouve, Eudaily, Koehnke.
Total 3

SB 256 - Representative Keller moved SB 256, third reading copy, be amended as follows:

1. Title, line 7.

Strike: "AND"

Insert: ";

2. Title, line 8.

Following: "DATE"

Insert: ";; AND LIMITING THE AMOUNT OF THE FUND"

3. Page 1, line 12.

Following: "fund"

Insert: "— limitation"

4. Page 1, line 20.

Following: "fund."

Insert: "The fund may not exceed \$200,000."

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, J. Brown, Campbell, Clark, Cohen, Compton, Connelly, Daily, Davis, DeBruycker, DeMars, Driscoll, Elliott, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simpkins, Smith, Spring, Stang, Stepler, Stickney, Strizich, Thomas, Wallin, Zook, Mr. Speaker.

Total 75

Noes: Brooke, Cocchiarella, Whalen.

Total 3

Excused: Bradley, Cobb, Cody, Darko, Grady, Iverson, Nisbet, Schye, Simon, Spaeth, Squires, Swift, Swysgood, Thoft, Westlake.

Total 15

Absent or not voting: Bardanouve, D. Brown, Ellison, Eudaily, Harrington, Koehnke, Wyatt.

Total 7

Representative Nisbet present at this time.

Representative Keller moved SB 256, as amended, be concurred in.
Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cohen, Compton, Connelly, Daily, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hanson, Harper, Harrington, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick,

McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simpkins, Smith, Spring, Stang, Steppler, Stickney, Strizich, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.
Total 82

Noes: Hansen, Moore.
Total 2

Excused: Bradley, Cobb, Cody, Darko, Grady, Iverson, Schye, Simon, Spaeth, Squires, Swift, Swysgood, Thoft, Westlake.
Total 14

Absent or not voting: Bardanouve, Koehnke.
Total 2

Representative Swift present at this time.

SB 326 - Representative Steppler moved SB 326 be concurred in.
Motion carried as follows:

Ayes: Addy, Bachini, Blotkamp, Boharski, D. Brown, J. Brown, Campbell, Clark, Compton, Daily, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Johnson, Kasten, Keller, Kilpatrick, Knapp, Lee, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Simpkins, Smith, Spring, Stang, Steppler, Stickney, Strizich, Swift, Thomas, Wallin, Wyatt, Zook, Mr. Speaker.
Total 69

Noes: Aafedt, Brooke, Cocchiarella, Cohen, Connelly, Kadas, Kimberley, Moore, O'Connell, O'Keefe, Owens, Peck, Ream, Whalen.
Total 14

Excused: Bradley, Cobb, Cody, Darko, Grady, Iverson, Schye, Simon, Spaeth, Squires, Swysgood, Thoft, Westlake.
Total 13

Absent or not voting: Bardanouve, Koehnke, Marks, Russell.
Total 4

SB 367 - Representative Aafedt moved SB 367 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cohen, Compton, Connelly, Daily, Davis, DeBruycker, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simpkins, Smith, Spring, Stang, Steppler, Stickney, Strizich, Swift, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.
Total 83

Noes: DeMars, Patterson.
Total 2

Excused: Bradley, Cobb, Cody, Darko, Grady, Iverson, Schye, Simon, Spaeth, Squires, Swysgood, Thoft, Westlake.

Total 13

Absent or not voting: Bardanouve, Koehnke.

Total 2

SB 371 - Representative Giacometto moved SB 371 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cohen, Compton, Connelly, Daily, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simpkins, Smith, Spring, Stang, Steppler, Stickney, Strizich, Swift, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 85

Noes: None.

Total 0

Excused: Bradley, Cobb, Cody, Darko, Grady, Iverson, Schye, Simon, Spaeth, Squires, Swysgood, Thoft, Westlake.

Total 13

Absent or not voting: Bardanouve, Koehnke.

Total 2

Representative Gould excused at this time.

SB 382 - Representative Boharski moved SB 382 be placed at the bottom of the second reading board. Motion carried.

SB 385 - Representative D. Brown moved consideration of SB 385 be passed for the day. Motion carried.

SB 402 - Representative Bachini moved SB 402 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Compton, Connelly, Daily, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simpkins, Smith, Spring, Stang, Steppler, Stickney, Strizich, Swift, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 83

Noes: Driscoll.

Total 1

Excused: Bradley, Cody, Darko, Gould, Grady, Iverson, Schye, Simon, Spaeth, Squires, Swysgood, Thoft, Westlake.

Total 13

Absent or not voting: Bardanouve, Harrington, Koehnke.

Total 3

Representative Hannah excused at this time.

SB 60 - Representative Campbell moved SB 60 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Boharski, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Compton, Davis, DeMars, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grinde, Guthrie, Hanson, Harrington, Hayne, Hoffman, Johnson, Kasten, Keller, Knapp, Marks, Moore, R. Nelson, T. Nelson, Peck, Peterson, Quilici, Ramirez, Rehberg, Rice, Roth, Simpkins, Smith, Spring, Stickney, Strizich, Swift, Thomas, Wallin, Whalen, Wyatt, Zook.

Total 51

Noes: Aafedt, Addy, Blotkamp, Brooke, Cohen, Connelly, Daily, Darko, DeBruycker, Driscoll, Elliott, Hansen, Harper, Kadas, Kilpatrick, Kimberley, Lee, McCormick, Menahan, Mercer, L. Nelson, Nisbet, O'Keefe, Owens, Patterson, Pavlovich, Phillips, Raney, Ream, Stang, Stepler, Mr. Speaker.

Total 32

Excused: Bradley, Cody, Gould, Grady, Hannah, Iverson, Schye, Simon, Spaeth, Squires, Swysgood, Thoft, Westlake.

Total 13

Absent or not voting: Koehnke, McDonough, O'Connell, Russell.

Total 4

Representatives Cody and Squires present at this time.

SB 78 - Representative Bardanouve moved SB 78 be concurred in. Motion carried as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Campbell, Clark, Cobb, Cocchiarella, Compton, Daily, Davis, DeBruycker, DeMars, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Grinde, Hanson, Harrington, Hayne, Hoffman, Johnson, Kasten, Kilpatrick, Kimberley, Marks, McCormick, Menahan, Mercer, Moore, Nisbet, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Rehberg, Rice, Russell, Smith, Squires, Stang, Stickney, Strizich, Swift, Thomas, Whalen, Wyatt, Zook, Mr. Speaker.

Total 55

Noes: Addy, Boharski, Brooke, D. Brown, J. Brown, Cody, Cohen, Connelly, Darko, Driscoll, Glaser, Good, Guthrie, Hansen, Harper, Keller, Knapp, Lee, McDonough, L. Nelson, R. Nelson, T. Nelson, O'Connell, Patterson, Raney, Ream, Simpkins, Spring, Stepler, Wallin.

Total 30

Excused: Bradley, Gould, Grady, Hannah, Iverson, Schye, Simon, Spaeth, Swysgood, Thoft, Westlake.

Total 11

Absent or not voting: Ellison, Kadas, Koehnke, Roth.

Total 4

Representative Grady present at this time.

Representative Raney excused at this time.

SB 80 - Representative Peck moved SB 80 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Simpkins, Smith, Squires, Stickney, Strizich, Swift, Thomas, Whalen, Wyatt, Zook, Mr. Speaker.

Total 76

Noes: Cohen, DeBruycker, Driscoll, Hoffman, Keller, Knapp, R. Nelson, T. Nelson, Spring, Stang, Steppler, Wallin.

Total 12

Excused: Bradley, Gould, Hannah, Iverson, Raney, Schye, Simon, Spaeth, Swysgood, Thoft, Westlake.

Total 11

Absent or not voting: Koehnke.

Total 1

SB 91 - Representative Moore moved consideration of SB 91 be passed for the day. Motion carried.

Representative Simpkins excused at this time.

Representative Rehberg assumed the Chair at this time.

SB 113 - Representative Gilbert moved SB 113 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Smith, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 82

Noes: Cody, Cohen, Driscoll, Russell.

Total 4

Excused: Bradley, Gould, Hannah, Iverson, Raney, Schye, Simon, Simpkins, Spaeth, Swysgood, Thoft, Westlake.

Total 12

Absent or not voting: Koehnke, McCormick.

Total 2

Representative Gilbert resumed the Chair at this time.

SB 192 - Representative Cobb moved SB 192 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Smith, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 86

Noes: None.

Total 0

Excused: Bradley, Gould, Hannah, Iverson, Raney, Schye, Simon, Simpkins, Spaeth, Swysgood, Thoft, Westlake.

Total 12

Absent or not voting: Koehnke, Menahan.

Total 2

Representative Raney present at this time.

SB 193 - Representative Cobb moved SB 193 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Smith, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 84

Noes: None.

Total 0

Excused: Bradley, Gould, Hannah, Iverson, Schye, Simon, Simpkins, Spaeth, Swysgood, Thoft, Westlake.

Total 11

Absent or not voting: Bardanouve, Cohen, Koehnke, Menahan, Russell.

Total 5

SB 201 - Representative Harper moved SB 201 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grady, Grinde, Guthrie, Hanson, Harper, Hayne, Hoffman, Kasten, Keller, Kimberley, Knapp, Lee, Marks,

McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Smith, Spring, Squires, Steppler, Stickney, Strizich, Swift, Thomas, Wallin, Whalen, Zook, Mr. Speaker.

Total 76

Noes: Campbell, Cobb, Cohen, Hansen, Johnson, Kadas, Kilpatrick, O'Keefe, Stang, Wyatt.

Total 10

Excused: Bradley, Gould, Hannah, Iverson, Schye, Simon, Simpkins, Spaeth, Swysgood, Thoft, Westlake.

Total 11

Absent or not voting: Bardanouve, Harrington, Koehnke.

Total 3

SB 214 - Representative Hansen moved SB 214 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Smith, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 86

Noes: None.

Total 0

Excused: Bradley, Gould, Hannah, Iverson, Schye, Simon, Simpkins, Spaeth, Swysgood, Thoft, Westlake.

Total 11

Absent or not voting: Elliott, Koehnke, Menahan.

Total 3

SB 276 - Representative Driscoll moved SB 276 be placed at the bottom of the second reading board. Motion carried.

SB 313 - Representative Harper moved consideration of SB 313 be passed for the day. Motion carried.

Representatives Gould and Hannah present at this time.

SB 321 - Representative T. Nelson moved SB 321 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Mercer, Moore, R. Nelson, T. Nelson, Nisbet, O'Connell,

O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Smith, Spring, Squires, Stickney, Strizich, Swift, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 82

Noes: Campbell, Cobb, Grinde, L. Nelson, Stang, Stepler.

Total 6

Excused: Bradley, Hannah, Iverson, Schye, Simon, Simpkins, Spaeth, Swysgood, Thoft, Westlake.

Total 10

Absent or not voting: Koehnke, Menahan.

Total 2

Representatives Raney and Smith excused at this time.

Representative Hannah present at this time.

HB 111 - Representative Darko moved HB 111, second reading copy, be amended as follows:

1. Title, line 8.

Following: "MCA;"

Insert: "ALLOWING THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES AUTHORITY TO ESTABLISH RULES NO LATER THAN JULY 1, 1990;"

2. Page 2.

Following: line 7

Insert: "NEW SECTION. Section 2. Adoption of rules. The department of health and environmental sciences shall, after seeking input from counties, licensed motor vehicle wrecking facilities, and the general public, adopt rules pertaining to the reuse and restoration of junk vehicles. The department shall adopt these rules by no later than July 1, 1990."

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Lee, Marks, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Spring, Squires, Stepler, Stickney, Strizich, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 75

Noes: Cobb, DeBruycker, DeMars, Gould, Guthrie, Hayne, Hoffman, Johnson, Knapp, McCormick, Stang, Swift.

Total 12

Excused: Bradley, Iverson, Raney, Schye, Simon, Simpkins, Smith, Spaeth, Swysgood, Thoft, Westlake.

Total 11

Absent or not voting: Bardanouve, Koehnke.

Total 2

Representative Hannah excused at this time.

Representative Schye present at this time.

Representative Darko moved HB 111, as amended, do pass. Motion failed as follows:

Ayes: Addy, Bardanouve, Blotkamp, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Connelly, Darko, Davis, DeMars, Elliott, Gervais, Grady, Grinde, Hansen, Harper, Harrington, Kadas, Kilpatrick, Knapp, McCormick, McDonough, Menahan, Moore, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Raney, Ream, Russell, Schye, Squires, Stang, Stickney, Strizich, Wyatt, Mr. Speaker.

Total 41

Noes: Aafedt, Bachini, Boharski, Campbell, Clark, Cobb, Cohen, Compton, Daily, DeBruycker, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Guthrie, Hannah, Hanson, Hayne, Hoffman, Johnson, Kasten, Keller, Kimberley, Lee, Marks, Mercer, L. Nelson, R. Nelson, O'Connell, Patterson, Pavlovich, Phillips, Quilici, Ramirez, Rehberg, Rice, Roth, Simon, Simpkins, Spring, Stepler, Swift, Thomas, Wallin, Whalen, Zook.

Total 50

Paired: Blotkamp, Darko, Raney, Ream, Schye, Ayes; Hannah, Ramirez, Rehberg, Simon, Simpkins, Noes.

Excused: Bradley, Iverson, Smith, Spaeth, Swysgood, Thoft, Westlake.

Total 7

Absent or not voting: Koehnke, Owens.

Total 2

Representatives Raney, Simon, and Simpkins present at this time.

Representative Ramirez excused at this time.

SB 401 - Representative Spring moved SB 401 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Russell, Schye, Simon, Simpkins, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: None.

Total 0

Excused: Bradley, Hannah, Iverson, Ramirez, Smith, Spaeth, Swysgood, Thoft, Westlake.

Total 9

Absent or not voting: Grinde, Koehnke, Roth.

Total 3

Representative Harper moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Gilbert moved the adoption of the committee report. Report adopted. (84-5)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Representative Ramirez present at this time.

HB 308, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: None.

Total 0

Excused: Bradley, Hannah, Iverson, Smith, Spaeth, Swysgood, Thoft, Westlake.

Total 8

Absent or not voting: Grinde, Koehnke.

Total 2

HB 374, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Hanson, Harper, Harrington, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spring, Squires, Steppler, Stickney, Strizich, Swift, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 86

Noes: Cocchiarella, Stang.

Total 2

Excused: Bradley, Hannah, Iverson, Smith, Spaeth, Swysgood, Thoft, Westlake.

Total 8

Absent or not voting: Guthrie, Hansen, Koehnke, Peterson.

Total 4

HB 449, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: None.

Total 0

Excused: Bradley, Hannah, Iverson, Smith, Spaeth, Swysgood, Thoft, Westlake.

Total 8

Absent or not voting: Koehnke, Peterson.

Total 2

SB 286 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Harper, Harrington, Hayne, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 86

Noes: Brooke, Cohen, Hansen.

Total 3

Excused: Bradley, Hannah, Iverson, Smith, Spaeth, Swysgood, Thoft, Westlake.

Total 8

Absent or not voting: Hoffman, Koehnke, Peterson.

Total 3

SB 293 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck,

Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: Gilbert.
Total 1

Excused: Bradley, Hannah, Iverson, Smith, Spaeth, Swysgood, Thoft, Westlake.
Total 8

Absent or not voting: Koehnke, Peterson.
Total 2

SB 387 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: None.
Total 0

Excused: Bradley, Hannah, Iverson, Smith, Spaeth, Swysgood, Thoft, Westlake.
Total 8

Absent or not voting: Koehnke, Peterson.
Total 2

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 3/15/89

Correctly enrolled: HB 97, HB 114, HB 116, HB 127, HB 139, HB 142, HB 152, HB 167, HB 210, HB 218, HB 290, HB 431.

Examined by the sponsors and found to be correct:

HB 97 - Kilpatrick
HB 114 - Gervais
HB 116 - McDonough
HB 127 - Stickney
HB 139 - Simon
HB 142 - Cobb
HB 152 - Addy
HB 167 - Stickney
HB 210 - Swysgood
HB 218 - J. Brown
HB 290 - Giacometto
HB 431 - Grady

APPROPRIATIONS (Bardanouve, Chairman):

3/14/89

HB 614, third reading copy, be amended as follows:

1. Title, lines 12 and 13.

Following: "SERVICE;" on line 12

Strike: "REQUIRING" on line 12 through "PROGRAM;" on line 13

2. Page 1, lines 24 and 25.

Strike: "department of social and rehabilitation services"

Insert: "committee on telecommunications services for persons who are handicapped"

3. Page 2, lines 3 and 6.

Strike: "department" in both instances

Insert: "committee" in both instances

4. Page 2, line 25 through page 3, line 2.

Strike: "All" on page 2, line 25 through "3]." on page 3, line 2

5. Page 3, line 3.

Strike: "department"

Insert: "committee"

6. Page 4, lines 23 and 24.

Strike: subsection (2) in its entirety

Renumber: subsequent subsections

7. Page 8.

Following: line 4

Strike: "AND" on line 5

Insert: "(4) provide for administration of eligibility and the delivery of services for the program as provided for in [sections 7, 8, 9, and 10]; and"

Renumber: subsequent subsection

8. Page 8, lines 11 and 12.

Following: "(1)" on line 11

Strike: the remainder of line 11 through "department" on line 12

Insert: "The committee"

9. Page 8, lines 24 and 25.

Following: "Section 8."

Strike: "Powers and duties of department"

Insert: "Provision of services"

10. Page 9, line 1.

Page 10, lines 16 and 19.

Page 11, lines 4 and 14.

Page 13, lines 15 and 19.

Strike: "department"

Insert: "committee"

11. Page 11, lines 20 and 21.

Following: "committee" on line 20

Strike: remainder of line 20 through "department" on line 21

12. Page 13, line 5.

Strike: "department"

Insert: "committee"

And, as amended, do pass. Report adopted.

Adverse Committee Report

HB 304, do not pass.

JUDICIARY (D. Brown, Chairman):

3/15/89

SB 68, be concurred in. Report adopted.

LABOR AND EMPLOYMENT RELATIONS (Russell, Chairman): 3/15/89

SB 285, third reading copy, be amended as follows:

1. Title, line 8.

Following: "NOTES;"

Strike: "AND"

2. Title, line 9.

Following: "DATE"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE
DATE"

3. Page 4.

Following: line 25

Insert: "NEW SECTION. Section 3. Effective date. [This act] is
effective on passage and approval."

And, as amended, be concurred in. Report adopted.

SB 348, third reading copy, be amended as follows:

1. Page 4, line 9.

Following: "person"

Strike: "operating"

Insert: "who owns and operates"

2. Page 4, line 13.

Following: "person"

Strike: "operating"

Insert: "who owns and operates"

And, as amended, be concurred in. Report adopted.

SB 421, be concurred in. Report adopted.

STATE ADMINISTRATION (J. Brown, Chairman):

3/15/89

SB 325, be concurred in. Report adopted.

SB 381, be concurred in. Report adopted.

SB 439, be concurred in. Report adopted.

HJR 30, do pass. Report adopted.

TAXATION (Harrington, Chairman):

3/15/89

Adverse Committee Report

HB 690, do not pass.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved the House adjourn until 12:30 p.m., Thursday, March 16, 1989.

Motion carried.

House adjourned at 3:25 p.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

SIXTY-FIRST LEGISLATIVE DAY

Helena, Montana
March 16, 1989

House Chambers
State Capitol

House convened at 12:30 p.m., Mr. Speaker in the Chair. Invocation by Representative Good. Pledge of Allegiance to the Flag.

Roll call. All members present except Moore, Spaeth, and Zook, excused. Quorum present.

SPECIAL ORDERS OF THE DAY

After being presented to the House by Speaker Vincent, Mark Staples, Helena attorney, entertained the House with Irish songs.

Representatives Gervais, Good, Cohen, Giacometto, Harrington, Kadas, Quilici, and Wallin excused at this time.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 3/16/89

Correctly printed: HB 163, HB 614, HB 709, HJR 30.

Correctly engrossed: HB 712, SB 65, SB 113, SB 201, SB 216, SB 256, SJR 15, SJR 16.

Signed by the Speaker at 5:00 p.m., 3/15/89: HB 97, HB 114, HB 116, HB 127, HB 139, HB 142, HB 152, HB 167, HB 210, HB 218, HB 290, HB 431.

AGRICULTURE, LIVESTOCK, AND IRRIGATION (Bachini, Chairman): 3/16/89

HB 769, introduced bill, be amended as follows:

1. Page 3, line 25.

Strike: section 4 in its entirety

Renumber: subsequent sections

2. Page 5, lines 1 through 3.

Following: "[this act]" on line 1

Strike: remainder of line 1 through "[section 4]" on line 3

And, as amended, do pass. Report adopted.

HJR 31, do pass. Report adopted.

TAXATION (Harrington, Chairman): 3/15/89

HB 479, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "ANY TYPE OF TAX NOT PROHIBITED BY LAW"

Insert: "AN EXCISE TAX ON THE SALE OF CERTAIN GOODS AND SERVICES"

2. Page 1, line 11 through page 2, line 6.

Strike: the statement of intent in its entirety

3. Page 2, line 10.

Following: "through"

Strike: "6"

Insert: "5"

4. Page 2, lines 18 through 22.

Following: "impose" on line 18

Strike: the remainder of line 18 through "law" on line 22

Insert: "an excise tax, not to exceed 2%, on the retail value of all goods and services sold within its jurisdiction by the following establishments:

- (a) hotels, motels, and other lodging or camping facilities;
- (b) restaurants, fast-food stores, and other food service establishments;
- (c) taverns, bars, night clubs, lounges, and other public establishments that serve beer, wine, liquor, or other alcoholic beverages by the drink;
- (d) ski resorts and other recreational facilities; and
- (e) establishments, except those operated by nonprofit organizations, that charge admission for movies, concerts, theatrical performances, sporting events, or other entertainment."

5. Page 2, line 24.

Following: "impose"

Strike: "a"

Insert: "the excise"

6. Page 3, lines 3 and 4.

Strike: subsection (a) in its entirety

Renumber: subsequent subsections

7. Page 3, line 7.

Following: "tax"

Insert: ", including the date on which the tax becomes effective and the date on which the tax terminates"

8. Page 3, line 17.

Strike: "specified"

Insert: "excise"

9. Page 3, line 19.

Following: "section"

Strike: "6"

Insert: "5"

10. Page 3, line 22 through page 4, line 18.

Strike: section 3 in its entirety

Renumber: subsequent sections

11. Page 4, line 22.

Following: "the"

Insert: "excise"

12. Page 5, line 6.

Following: "of"

Strike: "a"

Insert: "an excise"

13. Page 5, line 9.

Following: "of"

Strike: "a"

Insert: "an excise"

14. Page 5, line 14.

Following: "option"

Insert: "excise"

15. Page 5, line 19.

Following: "distribute"

Insert: "excise"

16. Page 5, line 21.

Following: "retain"

Insert: "excise"

17. Page 5, line 23.

Following: "option"

Insert: "excise"

18. Page 6, line 1.

Following: "option"

Insert: "excise"

19. Page 6, line 2.

Following: "option"

Insert: "excise"

20. Page 6, line 3.

Following: "and the"

Insert: "excise"

Following: "tax"

Insert: "approved by the electorate of the county"

Following: "same"

Insert: "rate"

Following: "higher rate"

Insert: "than the rate approved by the electorate of the municipality"

21. Page 6, line 5.

Following: "county"

Insert: "excise"

22. Page 6, line 6.

Following: "municipal"

Insert: "excise"

Following: "county"

Insert: "excise"

23. Page 6, line 7.

Following: "its"

Insert: "excise"

24. Page 6, lines 10 and 12.

Following: "through"

Strike: "6"

Insert: "5"

And, as amended, do pass. Report adopted.

ADVERSE COMMITTEE REPORTS

HB 304 - Representative Bardanoue moved the 3/14/89 adverse committee report on HB 304 be adopted.

Representative Hannah made a substitute motion the adverse committee report be not adopted and HB 304 be printed and placed on second reading. Motion carried as follows:

Ayes: Aafedt, Addy, Blotkamp, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll,

Eudaily, Gervais, Glaser, Good, Gould, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, McDonough, Menahan, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Pavlovich, Peterson, Phillips, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stepler, Stickney, Strizich, Swift, Thomas, Westlake, Whalen.
Total 63

Noes: Bachini, Bardanouve, Boharski, Bradley, Campbell, Cohen, Compton, Connelly, Elliott, Ellison, Gilbert, Grady, Grinde, Guthrie, Iverson, Kasten, Lee, Marks, McCormick, Mercer, Owens, Peck, Ream, Spring, Stang, Swysgood, Thoft, Wyatt, Mr. Speaker.
Total 29

Paired: Good, Kadas, Spaeth, Ayes; Connelly, Swysgood, Thoft, Noes.

Excused: Giacometto, Harrington, Moore, Quilici, Wallin, Zook.
Total 6

Absent or not voting: O'Keefe, Patterson.
Total 2

HB 690 - Representative Addy moved consideration of the adverse committee report on HB 690 be passed until the 64th legislative day.
Motion carried.

Representative Eudaily excused at this time.

Representative Quilici present at this time.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House: 3/15/89

HB 252, introduced by Spring
HB 253, introduced by Spring
HB 317, introduced by Eudaily
HB 505, introduced by Schye

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 3/15/89

HB 165, introduced by Ellison
HB 264, introduced by Hannah
HB 289, introduced by Johnson
HB 478, introduced by Roth

Governor's amendments to House bill concurred in and returned to the House: 3/15/89

HB 58, introduced by Driscoll

House bill not concurred in and returned to the House: 3/15/89

HJR 5, introduced by Bardanouve

Senate bill passed and transmitted to the House for concurrence: 3/15/89

SB 410, introduced by Beck

House amendments to Senate bills concurred in: 3/15/89

SB 161, introduced by Harp
SB 346, introduced by B. Brown

Senate bills returned by request of the House for further consideration:

3/15/89

SB 18, introduced by Williams

SB 182, introduced by Keating

MESSAGES FROM THE GOVERNOR

John Vincent
Speaker of the House
Montana House of Representatives
State Capitol
Helena, Montana 59620

March 16, 1989

Dear Representative Vincent:

Please be informed that I have signed House Bills 80 and 226 on March 15, 1989.

Sincerely,

STAN STEPHENS
Governor

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, Montana 59620

March 15, 1989

The Honorable Jack E. Galt
President of the Senate
State Capitol
Helena, Montana 59620

Dear Representative Vincent and Senator Galt:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return Senate Bill 8, "AN ACT TO EXEMPT ROYALTIES RECEIVED BY INDIAN TRIBES PURSUANT TO 1938 LEASE AGREEMENTS FROM TAXATION UNDER THE STATE PROCEEDS, ~~COAL SEVERANCE~~, OIL AND GAS SEVERANCE, AND RESOURCE INDEMNITY TRUST TAXES." with the attached amendments for the following reasons.

I recommend deletion of the "Whereas" clause because it misstates the holding in Montana v. Blackfeet Tribe, 471 U.S. 759 (1985). That case held only that the Indian Mineral Leasing Act of 1938 did not authorize state taxation of tribes with respect to their royalty interests and that, as to leases executed pursuant to such statute, the authority in the Act of May 29, 1924, 43 Stat. 244 (codified at 25 U.S.C. sec. 398), for such taxation was inapplicable. Blackfeet did not hold that the various Montana oil and gas taxes at issue were preempted and, had the case not settled, the preemption question would have necessarily been resolved on remand before Judge Hatfield. Because the "Whereas" clause is misleading and otherwise unnecessary, the "Therefore" clause should also be stricken.

The substantive aspect of the bill is generally acceptable. However, upon consultation with legal counsel and the Special Assistants Attorney General who litigated this matter on behalf of the state of Montana, I recommend that the words "with respect to on-reservation oil and gas production" be added to section 1 to reflect what would appear to be the Legislature's intent. The 1938 act applies not only to unallotted lands within Indian

reservations but also to any lands owned by a federally-recognized tribe. Whether a tribe may be subjected to state taxation of its royalty interest as to non-reservation production is an unresolved issue and, while very possibly one which will never have to be decided, should not be the subject of state action at this time.

Governor's Amendments to SB 8

1. Page 1.

Strike: lines 10 through 21 in their entirety

2. Page 1, line 25.

Following: "tribe"

Insert: "with respect to on-reservation oil and gas production"

Sincerely,

STAN STEPHENS
Governor

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, Montana 59620

March 15, 1989

The Honorable Jack E. Galt
President of the Senate
State Capitol
Helena, Montana 59620

Dear Representative Vincent and Senator Galt:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return Senate Bill 38, "AN ACT REQUIRING THE DEPARTMENT OF INSTITUTIONS TO DEVELOP A COMPREHENSIVE PLAN FOR HOUSING ADULT FEMALE INMATES; ~~AND~~ REQUIRING THE DEPARTMENT TO SUBMIT THE PLAN TO THE 52ND LEGISLATURE; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE." with the attached amendments for the following reasons.

I endorse Senate Bill 38's call for a plan to study adult female inmate correctional facilities. I, however, cannot accept the bill's present statement and referral to Executive Order 16-87. That executive order identified membership on an advisory council, and several members of that council are no longer in the state.

If the House and Senate accept my proposed amendments, I will create by executive order the Criminal Justice and Corrections Advisory Council whose members will provide a geographical and philosophical balance to review the adult women inmate population issue and who will make recommendations to the Department of Institutions.

I urge your concurrence with this amendment.

Governor's Amendments to SB 38

1. Page 2, line 5.

Strike: "created by Executive Order"

2. Page 2, line 6.

Strike: "16-87"

March 16, 1989

Sincerely,

STAN STEPHENS

Governor

**FIRST READING AND COMMITMENT
OF BILLS AND RESOLUTIONS**

The following House bills were introduced, read first time, and referred to committees:

HB 779, introduced by Moore, Ellison, Hansen, O'Keefe, Driscoll, Ream, Darko, Schye, Wyatt, referred to Committee on Taxation

HB 780, introduced by Darko, Cody, Stang, O'Keefe, Driscoll, Grady, O'Connell, Schye, Raney, Grinde, referred to Committee on Appropriations

HB 781, introduced by Cohen, referred to Committee on Appropriations

HJR 33, introduced by Stickney, Hansen, Blotkamp, Squires, Strizich, Russell, Whalen, J. Brown, Good, McCormick, Lee, T. Nelson, Knapp, Simon, Gould, Boharski, referred to Committee on Human Services and Aging

HJR 34, introduced by Stickney, Hansen, Blotkamp, Squires, Strizich, Russell, Whalen, J. Brown, McCormick, Good, Lee, T. Nelson, Knapp, Simon, Gould, Boharski, referred to Committee on Human Services and Aging

The following Senate bill was introduced, read first time, and referred to committee:

SB 410, introduced by Beck, Williams, McLane, Story, Ellison, Campbell, Hoffman, Van Valkenburg, Thomas, Mazurek, Giacometto, Hammond, Keller, D. Brown, referred to Committee on Taxation

MOTIONS

Representative Connelly moved consideration of SB 207 be passed until the 64th legislative day. Motion carried.

Representative Gould moved consideration of Senate amendments to HB 207 be passed for the day. Motion carried.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Stang in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 247 - Representative Whalen moved Senate amendments to HB 247 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, Driscoll, Elliott, Gervais, Glaser, Grady, Hansen, Harper, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough, Menahan, L. Nelson, Nisbet, O'Connell, Pavlovich, Peck, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Squires, Stang, Stickney, Strizich, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 52

Noes: Campbell, Clark, Cobb, Compton, DeBruycker, Ellison, Gilbert, Gould, Guthrie, Hannah, Hanson, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Lee, Marks, Mercer, R. Nelson, T. Nelson, Owens, Peterson, Phillips, Ramirez, Simon, Simpkins, Smith, Spring, Stepler, Swift, Swysgood, Thoft, Thomas.

Total 35

Excused: Eudaily, Giacometto, Good, Harrington, Kadas, Moore, Spaeth, Wallin, Zook.

Total 9

Absent or not voting: DeMars, Grinde, O'Keefe, Patterson.

Total 4

HB 375 - Representative Gould moved Senate amendments to HB 375 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, Driscoll, Elliott, Ellison, Gervais, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 86

Noes: None.

Total 0

Excused: Eudaily, Giacometto, Good, Harrington, Kadas, Moore, Spaeth, Wallin, Zook.

Total 9

Absent or not voting: D. Brown, DeMars, Menahan, O'Keefe, Ramirez.

Total 5

HB 424 - Representative Grady moved Senate amendments to HB 424 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, Driscoll, Elliott, Ellison, Gervais, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 88

Noes: None.

Total 0

Excused: Eudaily, Giacometto, Good, Harrington, Kadas, Moore, Spaeth, Wallin, Zook.

Total 9

Absent or not voting: D. Brown, DeMars, O'Keefe.

Total 3

HB 541 - Representative Gould moved Senate amendments to HB 541 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, Driscoll, Elliott, Ellison, Gervais, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 86

Noes: Cohen.

Total 1

Excused: Eudaily, Giacometto, Good, Harrington, Kadas, Moore, Spaeth, Wallin, Zook.

Total 9

Absent or not voting: D. Brown, DeMars, O'Keefe, Squires.

Total 4

HB 227 - Representative Harper moved the Governor's amendments to HB 227 be placed at the bottom of the second reading board. Motion carried.

SB 386 - Representative Bradley moved SB 386 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, Driscoll, Elliott, Ellison, Gervais, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Westlake, Whalen, Mr. Speaker.

Total 81

Noes: Campbell, DeBruycker, Gilbert, Peck, Ramirez, Raney, Stepler, Wyatt.

Total 8

Excused: Eudaily, Giacometto, Good, Harrington, Kadas, Moore, Spaeth, Wallin, Zook.

Total 9

Absent or not voting: DeMars, O'Keefe.

Total 2

Representatives Darko, O'Keefe, and Quilici excused at this time.

SB 42 - Representative Darko moved SB 42 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, Driscoll, Elliott, Ellison, Gervais, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 86

Noes: None.

Total 0

Excused: DeMars, Eudaily, Giacometto, Good, Harrington, Kadas, Moore, O'Keefe, Quilici, Spaeth, Wallin, Zook.

Total 12

Absent or not voting: Bardanouve, Thomas.

Total 2

Representative Pavlovich excused at this time.

Representative Quilici present at this time.

SB 382 - Representative Boharski moved SB 382 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Daily, DeBruycker, Gilbert, Glaser, Gould, Grady, Guthrie, Hannah, Hanson, Hayne, Iverson, Johnson, Kasten, Keller, Kilpatrick, Knapp, Koehnke, Lee, McDonough, Mercer, L. Nelson, R. Nelson, T. Nelson, O'Connell, Patterson, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Squires, Stickney, Strizich, Swysgood, Thoft, Thomas, Westlake, Wyatt, Mr. Speaker.

Total 59

Noes: Bachini, Bardanouve, Cohen, Connelly, Darko, Davis, Driscoll, Elliott, Gervais, Grinde, Hansen, Harper, Hoffman, Kimberley, McCormick, Nisbet, Owens, Peck, Russell, Smith, Spring, Stang, Stepler, Swift, Whalen.

Total 25

Excused: DeMars, Eudaily, Giacometto, Good, Harrington, Kadas, Moore, O'Keefe, Pavlovich, Spaeth, Wallin, Zook.

Total 12

Absent or not voting: Ellison, Marks, Menahan, Ream.

Total 4

Representative Harrington present at this time.

SB 385 - Representative D. Brown moved SB 385, third reading copy, be amended as follows:

1. Page 2.

Following: line 21

Insert: "(2) "Director" means the director of the department of health and environmental sciences."

Renumber: subsequent subsections

2. Page 6, lines 5 through 7.

Following: "environment" on line 5

Strike: "or" on line 5 through "abated" on line 7

Insert: "(including the abandonment or discarding of barrels, containers, and other closed receptacles containing any hazardous or deleterious substance)"

3. Page 11, line 12.

Following: "substances."

Insert: "Each such inspection must be completed with reasonable promptness."

4. Page 11, line 17.

Following: "sample."

Insert: "A copy of the results of any analysis made of such samples must be furnished promptly to the owner, operator, tenant, or other person in charge if such person can be located."

5. Page 11, lines 20 and 21.

Following: "documents" on line 20

Strike: "in connection with the information gathering authority conferred pursuant to this section"

Insert: "relating to the matters in [section 5(2)(a) through (2)(d)]"

6. Page 28.

Following: line 18

Insert: "(4) Whenever practicable and in the public interest, as determined by the director of the department, the department may, as promptly as possible, reach a final settlement with a person liable under 75-10-715 in an administrative or civil action under 75-10-711 if such settlement involves only a minor portion of the response costs at the facility concerned and, in the judgment of the department, the conditions in either of the following subsection (4)(a) or (4)(b) are met:

(a) Both of the following are minimal in comparison to other hazardous or deleterious substances at the facility:

(i) the amount of the hazardous or deleterious substances contributed by that person to the facility.

(ii) the toxic or other hazardous effects of the substances contributed by that person to the facility.

(b) The person:

(i) is the owner of the real property on or in which the facility is located;

(ii) did not conduct or permit the generation, transportation, storage, treatment, or disposal of any hazardous or deleterious substance at the facility; and

(iii) did not contribute to the release or threat of release of a hazardous or deleterious substance at the facility through any action or omission.

This subsection (4)(b) does not apply if the person purchased the real property with actual or constructive knowledge that the property was used for the generation, transportation, storage, treatment, or disposal of any hazardous or deleterious substance."

7. Page 31, lines 22 through 24.

Following: "expenses." on line 22

Strike: the remainder of line 22 through "part." on line 24

8. Page 32, line 5.

Following: "costs."

Insert: "The court may disallow costs or damages only if the person liable under 75-10-715 can show on the record that the costs are not reasonable and are not consistent with this part."

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, Driscoll, Elliott, Ellison, Gervais, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 83

Noes: Cobb, Cohen, Peck, Raney.

Total 4

Excused: DeMars, Eudaily, Giacometto, Good, Kadas, Moore, O'Keefe, Pavlovich, Spaeth, Wallin, Zook.

Total 11

Absent or not voting: Hansen, Menahan.

Total 2

Representative O'Keefe present at this time.

Representative D. Brown moved SB 385, as amended, be concurred in.
Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, Driscoll, Elliott, Ellison, Gervais, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 87

Noes: None.

Total 0

Excused: DeMars, Eudaily, Giacometto, Good, Kadas, Moore, Pavlovich, Spaeth, Wallin, Zook.

Total 10

Absent or not voting: Hansen, McDonough, Menahan.

Total 3

SB 91 - Representative Quilici moved consideration of SB 91 be passed for the day. Motion carried.

SB 276 - Representative Driscoll moved SB 276 be concurred in. Motion carried as follows:

Ayes: Aafedt, Bachini, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, Driscoll, Elliott, Ellison, Gervais, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 84

Noes: Gilbert.

Total 1

Excused: DeMars, Eudaily, Giacometto, Good, Kadas, Moore, Pavlovich, Spaeth, Wallin, Zook.

Total 10

Absent or not voting: Addy, Bardanouve, D. Brown, Ramirez, Spring.

Total 5

Representative Quilici excused at this time.

Representatives Good and Eudaily present at this time.

SB 407 - Representative Strizich moved SB 407 be concurred in. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, Driscoll, Eudaily, Gervais, Good, Gould, Hannah, Hansen, Harper, Harrington, Johnson, Kasten, Kilpatrick, Kimberley, Knapp, Lee, Marks, McDonough, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Schye, Simon, Smith, Squires, Steppler, Stickney, Strizich, Thomas, Westlake, Wyatt, Mr. Speaker.

Total 58

Noes: Aafedt, Campbell, Clark, Cobb, Compton, DeBruycker, DeMars, Elliott, Ellison, Giacometto, Gilbert, Glaser, Grady, Grinde, Guthrie, Hanson, Hayne, Hoffman, Iverson, Keller, Koehnke, McCormick, Mercer, Owens, Patterson, Peterson, Phillips, Roth, Simpkins, Spring, Stang, Swift, Swysgood, Thoft, Whalen.

Total 35

Paired: Pavlovich, Aye; Gilbert, No.

Excused: Kadas, Moore, Quilici, Spaeth, Wallin, Zook.

Total 6

Absent or not voting: Menahan.

Total 1

Representative Kadas present at this time.

SB 409 - Representative Whalen moved SB 409 be concurred in. Motion carried as follows:

Ayes: Addy, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Phillips, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Smith, Spring, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 82

Noes: Aafedt, Bachini, Clark, Koehnke, Owens, Peck, Peterson, Simpkins, Steppler.

Total 9

Excused: Moore, Pavlovich, Quilici, Spaeth, Wallin, Zook.

Total 6

Absent or not voting: Bardanouve, Cobb, Grinde.

Total 3

Representatives Pavlovich and Quilici present at this time.

SB 447 - Representative Ream moved SB 447 be concurred in. Motion carried as follows:

Ayes: Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Glaser, Gould, Grady, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Koehnke, Lee, Marks, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Smith, Spring, Squires, Stang, Stickney, Strizich, Swift, Thomas, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 76

Noes: Aafedt, Campbell, Cobb, DeBruycker, Ellison, Giacometto, Gilbert, Good, Guthrie, Hannah, Knapp, Owens, Peterson, Simpkins, Steppler, Swysgood, Thoft.

Total 17

Excused: Moore, Spaeth, Wallin, Zook.

Total 4

Absent or not voting: Bardanouve, Grinde, McCormick.

Total 3

Representative Wallin present at this time.

SB 454 - Representative Squires moved SB 454 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Hansen, Hanson, Harper, Harrington, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Squires, Stang, Steppler, Stickney, Strizich, Swift, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 76

Noes: Campbell, Ellison, Giacometto, Guthrie, Hannah, Hayne, Hoffman, Marks, Owens, Peterson, Ramirez, Spring, Swysgood, Thoft, Thomas.

Total 15

Excused: Moore, Spaeth, Zook.

Total 3

Absent or not voting: Bardanouve, D. Brown, Clark, Grady, Grinde, Menahan.

Total 6

SJR 5 - Representative Phillips moved SJR 5 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simpkins, Smith, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Moore, Spaeth, Zook.

Total 3

Absent or not voting: Bardanouve, D. Brown, Driscoll, Quilici, Simon.

Total 5

SJR 14 - Representative J. Brown moved SJR 14, third reading copy, be amended as follows:

1. Page 4.

Following: line 20

Insert: "BE IT FURTHER RESOLVED, that the Secretary of State mail copies of this resolution to the 200 largest charitable foundations in the United States."

Amendment passed as follows:

Ayes: Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 91

Noes: None.

Total 0

Excused: Moore, Spaeth, Zook.

Total 3

Absent or not voting: Aafedt, Bardanouve, D. Brown, Driscoll, Eudaily, Quilici.

Total 6

Representative J. Brown moved SJR 14, as amended, be concurred in.
Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 90

Noes: None.

Total 0

Excused: Moore, Spaeth, Zook.

Total 3

Absent or not voting: Bardanouve, Driscoll, Grady, Hannah, Harrington, Menahan, Quilici.

Total 7

HB 44 - Representative Mercer moved HB 44 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet,

O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 90

Noes: Campbell, Grinde, Guthrie.

Total 3

Excused: Moore, Spaeth, Zook.

Total 3

Absent or not voting: Bardanoue, D. Brown, Harrington, Menahan.

Total 4

Representative Harper moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Stang moved the adoption of the committee report. Report adopted. (92-4)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 69, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 93

Noes: Cohen, Gilbert.

Total 2

Excused: Moore, Spaeth, Zook.

Total 3

Absent or not voting: Bardanoue, Campbell.

Total 2

HB 101, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici,

Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.
Total 95

Noes: Spring.

Total 1

Excused: Moore, Spaeth, Zook.

Total 3

Absent or not voting: Bardanoue.

Total 1

HB 171, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanoue, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.
Total 92

Noes: Cohen, Elliott, Giacometto, O'Keefe, Peck.

Total 5

Excused: Moore, Spaeth, Zook.

Total 3

Absent or not voting: None.

Total 0

HB 679, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanoue, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.
Total 93

Noes: Campbell, Giacometto, Grinde.

Total 3

Excused: Moore, Spaeth, Zook.

Total 3

Absent or not voting: Rice.

Total 1

HB 680, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 92

Noes: Campbell, Giacometto.

Total 2

Excused: Moore, Spaeth, Zook.

Total 3

Absent or not voting: Blotkamp, Ellison, Rice.

Total 3

SB 60 concurred in as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Daily, Davis, DeMars, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 80

Noes: Aafedt, Cohen, Connelly, Darko, DeBruycker, Driscoll, Elliott, Kadas, Lee, Menahan, O'Keefe, Owens, Patterson, Phillips, Stang, Stepler.

Total 16

Excused: Moore, Spaeth, Zook.

Total 3

Absent or not voting: Rice.

Total 1

SB 78 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Compton, Daily, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Gould, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Marks, McCormick, McDonough, Menahan, Mercer, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stickney, Swift, Swysgood, Thoft, Thomas, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 71

Noes: Boharski, Campbell, Clark, Cody, Cohen, Connelly, Darko, Giacometto, Glaser, Good, Grinde, Guthrie, Keller, Knapp, Koehnke, Lee, L. Nelson, R. Nelson, T. Nelson, Patterson, Raney, Stang, Stepler, Strizich, Wallin.

Total 25

Excused: Moore, Spaeth, Zook.

Total 3

Absent or not voting: Rice.

Total 1

SB 80 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 89

Noes: Cohen, DeBruycker, Knapp, Stang, Stepler, Wallin.

Total 6

Excused: Moore, Spaeth, Zook.

Total 3

Absent or not voting: Ream, Rice.

Total 2

SB 192 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Moore, Spaeth, Zook.

Total 3

Absent or not voting: Rice, Swysgood.

Total 2

SB 193 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Moore, Spaeth, Zook.

Total 3

Absent or not voting: Rice.

Total 1

SB 214 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 93

Noes: Koehnke, Peck.

Total 2

Excused: Moore, Spaeth, Zook.

Total 3

Absent or not voting: Hoffman, Rice.

Total 2

SB 242 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T.

Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Mr. Speaker.
Total 89

Noes: DeBruycker, Good, Grinde, Marks, Steppler, Wyatt.
Total 6

Excused: Moore, Spaeth, Zook.
Total 3

Absent or not voting: Koehnke, Rice.
Total 2

SB 297 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Simon, Smith, Spring, Squires, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Mr. Speaker.
Total 89

Noes: D. Brown, Campbell, Schye, Simpkins, Stang, Wyatt.
Total 6

Excused: Moore, Spaeth, Zook.
Total 3

Absent or not voting: Cohen, Rice.
Total 2

SB 326 concurred in as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Schye, Simon, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Mr. Speaker.
Total 85

Noes: Aafedt, Cohen, Connelly, Gilbert, O'Keefe, Owens, Peck, Peterson, Smith, Whalen.
Total 10

Excused: Moore, Spaeth, Zook.
Total 3

Absent or not voting: Grinde, Rice.

Total 2

SB 331 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 94

Noes: Cohen.

Total 1

Excused: Moore, Spaeth, Zook.

Total 3

Absent or not voting: Quilici, Rice.

Total 2

SB 338 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 94

Noes: Davis, Steppler.

Total 2

Excused: Moore, Spaeth, Zook.

Total 3

Absent or not voting: Rice.

Total 1

SB 356 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick,

McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 95

Noes: Peck.

Total 1

Excused: Moore, Spaeth, Zook.

Total 3

Absent or not voting: Rice.

Total 1

SB 367 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Moore, Spaeth, Zook.

Total 3

Absent or not voting: Rice.

Total 1

SB 371 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 95

Noes: Owens.

Total 1

Excused: Moore, Spaeth, Zook.
Total 3

Absent or not voting: Rice.
Total 1

SB 377 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.
Total 95

Noes: Cohen.
Total 1

Excused: Moore, Spaeth, Zook.
Total 3

Absent or not voting: Rice.
Total 1

SB 395 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Schye, Simon, Simpkins, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.
Total 89

Noes: Clark, Cobb, Gilbert, Grinde.
Total 4

Excused: Moore, Spaeth, Zook.
Total 3

Absent or not voting: Ellison, Hoffman, Rice, Smith.
Total 4

SB 401 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser,

Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 93

Noes: Good.

Total 1

Excused: Moore, Spaeth, Zook.

Total 3

Absent or not voting: Hoffman, T. Nelson, Rice.

Total 3

SB 402 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 91

Noes: Cobb, Cody, Grinde, Marks.

Total 4

Excused: Moore, Spaeth, Zook.

Total 3

Absent or not voting: Hannah, Rice.

Total 2

SB 406 concurred in as follows:

Ayes: Aafedt, Bachini, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hansen, Harper, Harrington, Hoffman, Iverson, Johnson, Keller, Kilpatrick, Kimberley, Knapp, McCormick, McDonough, Menahan, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Phillips, Quilici, Ream, Rehberg, Roth, Schye, Simpkins, Smith, Spring, Squires, Stang, Strizich, Swift, Swysgood, Thoft, Thomas, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 67

Noes: Addy, Bardanouve, Boharski, Cobb, Cohen, Elliott, Ellison, Good, Hannah, Hansen, Hayne, Kadas, Kasten, Koehnke, Lee, Marks, Mercer, L. Nelson, R. Nelson, O'Keefe, Peck, Peterson, Ramirez, Raney, Russell, Simon, Stepler, Stickney, Wallin.

Total 29

Excused: Moore, Spaeth, Zook.

Total 3

Absent or not voting: Rice.

Total 1

SB 413 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Gould, Guthrie, Hansen, Harper, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, McCormick, McDonough, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, Rehberg, Roth, Russell, Schye, Smith, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 74

Noes: Boharski, Cobb, Giacometto, Grinde, Hannah, Hanson, Harrington, Hayne, Koehnke, Marks, R. Nelson, Owens, Phillips, Ramirez, Simon, Simpkins, Stepler, Swift, Thoft, Thomas.

Total 20

Excused: Moore, Spaeth, Zook.

Total 3

Absent or not voting: Good, Grady, Rice.

Total 3

HJR 13 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 87

Noes: Campbell, Clark, Cobb, DeBruycker, Giacometto, Grinde, Hannah, Hayne, R. Nelson.

Total 9

Excused: Moore, Spaeth, Zook.

Total 3

Absent or not voting: Rice.

Total 1

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):
Correctly printed: HB 304.

3/16/89

Correctly enrolled: HB 68, HB 71, HB 124, HB 147, HB 225, HB 228, HB 232, HB 242, HB 243, HB 273, HB 292, HB 309, HB 310, HB 327, HB 352, HB 362, HB 366, HB 397, HB 409, HB 454, HB 519, HB 611, HB 658, HB 706.

Examined by the sponsors and found to be correct:

HB 68 - Hansen
HB 71 - Whalen
HB 124 - Clark
HB 147 - Whalen
HB 225 - Squires
HB 228 - Harrington
HB 232 - D. Brown
HB 242 - Cobb
HB 243 - Rice
HB 273 - L. Nelson
HB 292 - Thomas
HB 309 - Hanson
HB 310 - Schye
HB 327 - Giacometto
HB 352 - Elliott
HB 362 - D. Brown
HB 366 - Stang
HB 397 - Eudaily
HB 409 - Good
HB 454 - Connelly
HB 519 - Brooke
HB 611 - Connelly
HB 658 - Swysgood
HB 706 - T. Nelson

Signed by the Speaker at 2:00 p.m., 3/16/89: SB 27, SB 33, SB 45, SB 61, SB 73, SB 79, SB 81, SB 98, SB 121, SB 131, SB 145, SB 156, SB 323.

Delivered to the Governor for his approval at 3:01 p.m., 3/16/89: HB 97, HB 114, HB 116, HB 127, HB 139, HB 142, HB 152, HB 167, HB 210, HB 218, HB 290, HB 431.

APPROPRIATIONS (Bardanoue, Chairman):

3/16/89

HB 370, third reading copy, be amended as follows:

1. Page 2, line 4.

Following: "\$4"

Strike: "\$4.50"

Insert: "\$3.50"

2. Page 2, line 4.

Following: "\$8"

Strike: "\$9"

Insert: "\$8.50"

And, as amended, do pass. Report adopted.

HB 462, second reading copy, be amended as follows:

1. Title, lines 9 and 10.

Strike: "PROVIDING" on line 9 through "APPROPRIATION;" on line 10

2. Page 6, line 22 through page 7, line 2.

Strike: section 6 in its entirety

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 469, introduced bill, be amended as follows:

1. Title, line 5.
Strike: "\$75,000"
Insert: "\$50,000"
2. Page 1, line 13.
Following: "appropriated"
Strike: "\$75,000"
Insert: "\$50,000"

And, as amended, do pass. Report adopted.

HB 563, introduced bill, be amended as follows:

1. Page 1.
Following: line 23
Insert: "(1) "Cities service payments" means the oil overcharge payments made to the U.S. treasury for distribution to the state of Montana pursuant to the consent agreement between Cities service oil and gas and the U.S. department of energy as affirmed by the federal energy regulatory commission and any interest accrued on the payments."

(2) "Getty oil payments" means the oil overcharge payments made to the U.S. treasury for distribution to the state of Montana pursuant to the order of disbursement issued in civil action no. 77-347 (MMS) in the U.S. district court for the district of Delaware and any interest accrued on the payments."
Renumber: subsequent subsections
2. Page 2, line 5.
Following: "not limited to"
Insert: "cities service payments, as defined in subsection (1), getty oil payments, as defined in subsection (2),"
Strike: "Texaco"
Insert: "texaco"
3. Page 2, lines 5 and 6.
Following: "subsection" on line 5
Strike: "(2)" on line 6
Insert: "(4)"
4. Page 2, line 7.
Strike: "(3)"
Insert: "(5)"
5. Page 2, line 15.
Strike: "Texaco"
Insert: "texaco"
6. Page 3.
Following: line 5
Insert: "NEW SECTION. Section 4. Payment of attorney's fees and costs — appropriation. There is appropriated \$35,000 from the stripper well payments contained in the federal special revenue fund to the department of justice to pay attorney's fees and costs incurred in connection with recovering such payments."
Renumber: subsequent sections

7. Page 3, line 7.

Following: "appropriated"

Strike: "\$500,000"

Insert: "\$900,000"

8. Page 4.

Following: line 4

Insert: "NEW SECTION. Section 7. Biological agents for weed control — appropriation. There is appropriated \$150,000 from the strip-per well payments contained in the federal special revenue fund to the department of agriculture to continue the collection and distribution of biological agents to control leafy spurge and spotted knapweed. The project will reduce energy consumption by reducing the need for repeated chemical applications and will build upon the accomplishments derived from the funding provided in Section 8, House Bill 621, Laws of 1987."

Renumber: subsequent sections

9. Page 4, line 11.

Strike: "the city of Shelby"

Insert: "Toole County"

10. Page 4, line 12.

Strike: "The city of Shelby"

Insert: "Toole County"

11. Page 4, line 15.

Following: "Bill"

Insert: "No."

12. Page 4, line 16.

Strike: "Shelby's"

Insert: "Toole County's"

13. Page 5, line 16.

Following: "appropriated"

Strike: "\$100,000"

Insert: "\$235,000"

14. Page 6, line 8.

Strike: "5"

Insert: "6"

15. Page 6, lines 12 and 14.

Strike: "9"

Insert: "11"

16. Page 7, line 3.

Following: "prioritized."

Insert: "In order to provide continuity for the programs when establishing the appropriations for the 1990-91 biennium, anticipated getty oil and texaco oil payments that will be received under the terms of the agreements during the biennium may be considered to establish appropriations to fund the activities. The appropriation provided for in [section 10] must not be made until the state has actually received payments that are sufficient to fund all higher ranked programs approved for funding by the U.S. department of energy."

And, as amended, do pass. Report adopted.

SB 272, third reading copy, be amended as follows:

1. Page 1, line 16.

Strike: "1991"

Insert: "1997"

And, as amended, be concurred in. Report adopted.

SB 311, third reading copy, be amended as follows:

1. Page 4, lines 20 through 22.

Following: "(3)" on line 20

Strike: remainder of line 20 through line 22

Insert: "The trust account money must be deposited in the state treasury and invested as required by law and the earnings credited to the trust account."

And, as amended, be concurred in. Report adopted.

SB 398, be concurred in. Report adopted.

SB 399, be concurred in. Report adopted.

SB 426, be concurred in. Report adopted.

JUDICIARY (D. Brown, Chairman):

3/16/89

SB 363, third reading copy, be amended as follows:

1. Title, line 6.

Following: "CREDIT"

Insert: "WHERE THE CONSIDERATION TO BE PAID BY THE INDIVIDUAL IS \$10,000 OR LESS"

2. Title, lines 7 and 8.

Strike: ", REGARDLESS" on line 7 through "DELETING" on line 8

Insert: "; CHANGING"

3. Page 1.

Following: line 25

Insert: "(b) any contract by an individual for the acquisition of real or personal property, services, or money or credit where the total consideration to be paid or furnished by the individual is \$10,000 or less,"

Renumber: subsequent sections

And, as amended, be concurred in. Report adopted.

NATURAL RESOURCES (Raney, Chairman):

3/16/89

HB 754, introduced bill, be amended as follows:

1. Page 1.

Following: line 12

Insert:

"STATEMENT OF INTENT

It is the intent of the legislature that the department of fish, wildlife, and parks conduct the river restoration program in coordination, communication, and cooperation with local landowners, lessees, and conservation district officials so that projects conducted under the program will benefit the river resource and all parties involved."

2. Page 1, line 25.

Following: "to"

Insert: "help"

3. Page 2, line 23.

Strike: "rehabilitation of"

Insert: "projects to improve"

4. Page 2, line 25.

Strike: "or water rights"

Insert: "from storage facilities"

5. Page 3, line 3.

Following: "with"

Insert: "individuals, conservation districts, and"

6. Page 3.

Following: line 7

Insert: "(4) The department shall consult with the local conservation district regarding the appropriateness of the project and any applicable permit requirements.

(5) The department shall receive the consent of the landowner or lessee of any associated lands before initiating physical projects on these lands."

And, as amended, do pass. Report adopted.

SB 261, third reading copy, be amended as follows:

1. Page 2, line 15.

Following: "subdivision."

Insert: "Any restrictions or requirements on the platted lot continue to apply."

And, as amended, be concurred in. Report adopted.

SB 390, third reading copy, be amended as follows:

1. Title, line 7.

Strike: "IN EXCESS OF 3,000"

Insert: "UP TO 6,000"

2. Page 2, line 19.

Strike: "in excess of 3,000"

Insert: "up to 6,000"

And as amended, be concurred in. Report adopted.

SJR 13, third reading copy, be amended as follows:

1. Page 1.

Following: line 23

Insert: "WHEREAS, the United States is facing an increasingly drastic solid waste disposal crisis; and

WHEREAS, Montanans are currently fortunate enough to have low waste disposal costs compared to other states, but those costs are expected to increase dramatically as communities fill up existing landfills and must open new costly ones; and

WHEREAS, recyclable material, such as glass, aluminum, plastic, steel, and newsprint and other paper goods, makes up a substantial portion of the solid waste in landfills; and"

2. Page 2, lines 8 through 18.

Strike: lines 8 through 18 in their entirety

Insert: "WHEREAS, citizen cleanup efforts are a significant tribute to our state in its centennial year; and

WHEREAS, communities have an interest in promoting and improving recycling at all opportunities; and

WHEREAS, communities are in the position of directly assisting and increasing recycling through education and assistance to all members of the community; and

WHEREAS, community landfills, as the destinations of communities' solid waste, are the best locations for implementing comprehensive communitywide recycling; and"

3. Page 2, line 21.

Following: "program"

Insert: "; and

WHEREAS, local communities can and should increase the level of local recycling to reduce solid waste disposal volume and costs"

4. Page 3, lines 4 through 7.

Strike: lines 4 through 7 in their entirety

5. Page 3.

Following: line 10

Insert: "BE IT FURTHER RESOLVED, that all Montana communities be urged to promote and encourage recycling.

BE IT FURTHER RESOLVED, that all Montana communities be encouraged to study means of sorting recyclable materials.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to all County Commissioners, Mayors, City Managers, and City Council members in Montana."

And, as amended, be concurred in. Report adopted.

STATE ADMINISTRATION (J. Brown, Chairman):

3/16/89

SB 196, be concurred in. Report adopted.

SB 296, third reading copy, be amended as follows:

1. Page 1, line 16.

Strike: "licensing,"

Following: "review"

Strike: " , "

2. Page 1, line 19.

Strike: "licensing,"

Following: "review"

Strike: " , "

Strike: "ANNOUNCED"

3. Page 1, line 22.

Strike: "licensing,"

Following: "review"

Strike: " , "

4. Page 2, lines 22 and 23.

Strike: " , " on line 22 through " , " on line 23

5. Page 2, line 25.

Strike: "ANNOUNCED ON-SITE"

And, as amended, be concurred in. Report adopted.

TAXATION (Harrington, Chairman):

3/16/89

HB 293, introduced bill, be amended as follows:

1. Page 5, line 6.

Following: "services"

Insert: "— limitations"

Following: "."

Insert: "(1)"

2. Page 5.

Following: line 9

Insert: "(2) For purposes of subsection (1), the credit may be claimed by:

(a) a married couple whose combined adjusted gross income is \$40,000 or less for the taxable year during which the expenses are incurred; or

(b) an individual or a head of household whose adjusted gross income is \$25,000 or less for the taxable year during which the expenses are incurred."

And, as amended, do pass. Report adopted.

HB 588, do pass. Report adopted.

HB 766, do pass. Report adopted.

Adverse Committee Report

HB 613, do not pass.

MOTIONS

Representative Westlake moved he be allowed to change his vote on SB 386, second reading, from no to yes. Motion carried.

Representative Koehnke moved he be allowed to change his vote on SB 386, second reading, from no to yes. Motion carried.

Representative Wallin moved SB 186 be taken from the table in the Committee on Labor and Employment Relations and be printed and placed on second reading. Motion failed. (37-56)

Representative Knapp moved he be allowed to change his vote on SB 78, third reading, from yes to no. Motion carried.

Representative Hannah excused at this time.

Representative Harper moved the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate to confer on House amendments to SB 173. Motion carried.

Speaker Vincent appointed the following members:

Representative Darko, Chairman

Representative Pavlovich

Representative Smith

Representative Harper moved the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate to confer on House amendments to SB 179. Motion carried.

Speaker Vincent appointed the following members:

Representative Pavlovich, Chairman
Representative Bachini
Representative Simon

Representative Harper moved the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate to confer on House amendments to SB 314. Motion carried.

Speaker Vincent appointed the following members:

Representative Addy, Chairman
Representative Brooke
Representative Simon

Representative Harper moved the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate to confer on House amendments to SB 330. Motion carried.

Speaker Vincent appointed the following members:

Representative Whalen, Chairman
Representative Kilpatrick
Representative Thomas

Representative Harper moved the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on Governor's amendments to HB 58. Motion carried.

Speaker Vincent appointed the following members:

Representative Driscoll, Chairman
Representative Harrington
Representative Ramirez

Representative Harper moved the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 496. Motion carried.

Speaker Vincent appointed the following members:

Representative Nisbet, Chairman
Representative Strizich
Representative R. Nelson

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved the House adjourn until 12:30 p.m., Friday, March 17, 1989.

Motion carried.

House adjourned at 3:37 p.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

SIXTY-SECOND LEGISLATIVE DAY

Helena, Montana
March 17, 1989

House Chambers
State Capitol

House convened at 1:00 p.m., Mr. Speaker in the Chair. Invocation by Representative Menahan. Pledge of Allegiance to the Flag.

Roll call. All members present except Daily, Giacometto, Hansen, Harrington, Iverson, and McDonough, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the fifty-seventh legislative day, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 3/17/89

Correctly printed: HB 479, HB 588, HB 766.

Correctly engrossed: HB 44, SB 42, SB 276, SJR 14.

Signed by the Speaker at 8:15 a.m., 3/17/89: SB 267, SB 271, SB 278, SB 289, SB 294.

APPROPRIATIONS (Bardanouve, Chairman): 3/17/89

HB 56, do pass. Report adopted.

HB 193, introduced bill, be amended as follows:

1. Title, line 11.

Following: "FEDERATIONS;"

Insert: "PROVIDING FOR A STATE MULTILIBRARY CARD;"

And, as amended, do pass. Report adopted.

HB 233, second reading copy, be amended as follows:

1. Title, line 6.

Strike: "AN"

Insert: "A DELAYED"

2. Page 1, line 22.

Strike: "1989"

Insert: "1990"

And, as amended, do pass. Report adopted.

HB 333, do pass. Report adopted.

HB 398, second reading copy, be amended as follows:

1. Page 1, line 15.

Strike: "designated"

Insert: "current restricted"

2. Page 2, line 7.

Following: "appropriation."

Insert: "The appropriation made by this section is contingent upon funds being available from the renewable resource development bond fund established under 15-35-108 (3)(e) after all other appropriations from this source have been made."

And, as amended, do pass. Report adopted.

HB 507, introduced bill, be amended as follows:

1. Page 7, line 25.

Following: "Assoc."

Strike: "14,500" in second column

Insert: "10,000" in second column

2. Page 9.

Following: line 17

Insert: "Cascade County Artist Speak 7,500"

3. Page 9.

Following: line 23

Insert: "(5) Any funds that revert from the projects subject to the appropriations in subsection (3) may be used to increase the grant to the Stillwater Historical Society up to a maximum of \$9,000."

And, as amended, do pass. Report adopted.

HB 583, do pass. Report adopted.

HB 601, second reading copy, be amended as follows:

1. Page 2, line 3.

Strike: "ALL"

2. Page 17, lines 10 and 11.

Strike: ", paying administrative costs of the program,"

3. Page 17, line 13.

Following: "is"

Strike: "statutorily" on line 13 through "program" on line 16

Insert: "subject to legislative appropriation constraints, and expenditures from this account must be made from temporary appropriations, as described in 17-7-501 (1) or (2), made for that purpose"

And, as amended, do pass. Report adopted.

HB 772, do pass. Report adopted.

HB 775, introduced bill, be amended as follows:

1. Page 8.

Following: line 15

Insert: "STATE LANDS, DEPARTMENT OF
Pilot Urban Forestry Project 60,000"

And, as amended, do pass. Report adopted.

HB 776, do pass. Report adopted.

HB 777, introduced bill, be amended as follows:

1. Page 4.

Strike: line 25 in its entirety

2. Page 5.

Strike: lines 2 through 4 in their entirety

3. Page 6.

Following: line 22

Insert: "NEW SECTION. Section 7. Capital improvements appropriation to the Montana state prison ranch. The following money is appropriated to Montana state prison in the indicated amounts for the purposes of making capital improvements to the Montana state prison ranch and dairy:

<u>Agency/Project</u>	<u>Other Appropriated Funds</u>
Supervisor Housing Units,	\$135,000 Ranch Internal

Montana State Prison Ranch	Service Fund
Tin Cup Joe Irrigation System	200,000 Ranch Internal
Montana State Prison Ranch	Service Fund"
Renumber: subsequent sections	

4. Page 7, line 14.

Following: "dams."

Insert: "(1)"

5. Page 7.

Following: line 22

Insert: "(2) The following money is appropriated to Montana state prison in the amount indicated for the purpose of the inspection, study, and renovation of dams on the Montana state prison ranch and dairy:

Powell Reservoir Dam and	\$110,000 Ranch Internal
Other Ranch Reservoir Dams	Service Fund"

6. Page 9, line 2.

Strike: "11"

Insert: "12"

7. Page 9, line 19.

Strike: "14"

Insert: "15"

8. Page 10, line 8.

Strike: "12 and 16"

Insert: "13 and 17"

9. Page 13, line 11.

Strike: "15"

Insert: "16"

10. Page 13, line 13.

Strike: "14 through 18" twice

Insert: "15 through 19" twice

11. Page 13, line 13.

Strike: "15"

Insert: "16"

12. Page 10, line 19.

Following: "96-man housing unit"

Strike: ", "

Insert: "authorized in [section 6]; the"

Following: "units"

Strike: ", "

13. Page 10, line 20.

Strike: "[section 6],"

Insert: "[section 7]; and the inspection, study, and renovation of dams at Montana state prison authorized in [section 10 (2)];"

14. Page 12.

Following: line 18

Insert: "NEW SECTION. Section 23. Sale of state lands at Montana state prison. Pursuant to the provisions of 77-2-302 requiring that the board of land commissioners consult with an appropriate legislative committee prior to the sale of buildings formerly used by a

state institution, the board is hereby authorized to sell the following property if it determines this sale to be in the best interest of the state. Sale proceeds must be deposited in the capital projects funds. The board is authorized to pay costs of necessary surveys, appraisals, and all other costs associated with the sale of land from the proceeds of the sale. The land that may be sold is approximately 10 acres of land formerly known as the Bratten ranch, with approximately 14 structures. This property borders on Main Street in the city of Deer Lodge, a Montana power substation, and the department of highways garage."

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 778, do pass. Report adopted.

FISH AND GAME (Ream, Chairman):

3/16/89

HJR 32, introduced bill, be amended as follows:

1. Title, line 7.

Following: "SERVICE"

Insert: ", U.S. FOREST SERVICE, AND MONTANA DEPARTMENT OF FISH, WILDLIFE, AND PARKS"

2. Page 2, line 3.

Following: "bison"

Insert: "and elk"

3. Page 2, line 19.

Following: "Service"

Insert: ", U.S. Forest Service, and Montana Department of Fish, Wildlife, and Parks"

4. Page 3, line 15.

Following: "Service;"

Insert: "the Chief of the U.S. Forest Service;"

And, as amended, do pass. Report adopted.

LABOR AND EMPLOYMENT RELATIONS (Russell, Chairman): 3/15/89

SB 160, third reading copy, be amended as follows:

1. Title, line 8.

Following: "SERVICE;"

Insert: "TO EXCLUDE FROM THE DEFINITION OF EMPLOYMENT THE SERVICES PERFORMED BY INSTALLERS OF FLOOR COVERINGS;"

2. Title, line 15.

Following: "THROUGH"

Strike: "39-51-203"

Insert: "39-51-204"

3. Page 14, line 7.

Following: line 7

Insert: "Section 4. Section 39-51-204, MCA, is amended to read:

"39-51-204. Exclusions from definition of employment. (1) The term "employment" does not include:

(a) agricultural labor, except as provided in 39-51-203(8);

(b) domestic service in a private home, local college club, or local chapter of a college fraternity or sorority, except as provided in 39-51-203(9);

(c) service performed as an officer or member of the crew of a vessel on the navigable waters of the United States;

(d) service performed by an individual in the employ of that individual's son, daughter, or spouse and service performed by a child under the age of 21 in the employ of the child's father or mother;

(e) service performed in the employ of any other state or its political subdivisions or of the United States government or of an instrumentality of any other state or states or their political subdivisions or of the United States, except that national banks organized under the national banking law shall not be entitled to exemption under this subsection and shall be subject to this chapter the same as state banks, provided that such service is excluded from employment as defined in the Federal Unemployment Tax Act by section 3306(c)(7) of that act;

(f) service with respect to which unemployment insurance is payable under an unemployment insurance system established by an act of congress, provided that the department must enter into agreements with the proper agencies under such act of congress, which agreements shall become effective in the manner prescribed in the Montana Administrative Procedure Act for the adoption of rules, to provide reciprocal treatment to individuals who have, after acquiring potential rights to benefits under this chapter, acquired rights to unemployment insurance under such act of congress or who have, after acquiring potential rights to unemployment insurance under such act of congress, acquired rights to benefits under this chapter;

(g) services performed in the delivery and distribution of newspapers or shopping news from house to house and business establishments by an individual under the age of 18 years, but not including the delivery or distribution to any point or points for subsequent delivery or distribution;

(h) services performed by real estate, securities, and insurance salespeople paid solely by commissions and without guarantee of minimum earnings;

(i) service performed in the employ of a school, college, or university if such service is performed by a student who is enrolled and is regularly attending classes at such school, college, or university or by the spouse of such a student if such spouse is advised, at the time such spouse commences to perform such service, that the employment of such spouse to perform such service is provided under a program to provide financial assistance to such student by such school, college, or university and such employment will not be covered by any program of unemployment insurance;

(j) service performed by an individual who is enrolled at a non-profit or public educational institution, which normally maintains a regular faculty and curriculum and normally has a regularly organized body of students in attendance at the place where its educational activities are carried on, as a student in a full-time program taken for credit at such institution which combines academic instruction with work experience if such service is an integral part

of such program and such institution has so certified to the employer, except that this subsection shall not apply to service performed in a program established for or on behalf of an employer or group of employers;

(k) service performed in the employ of a hospital if such service is performed by a patient of the hospital;

(l) services performed by a cosmetologist who is licensed under Title 37, chapter 31, or a barber who is licensed under Title 37, chapter 30, and who has acknowledged in writing that he is not covered by unemployment insurance and workers' compensation and who contracts with a cosmetological establishment as defined in 37-31-101 or a barbershop as defined in 37-30-101, which contract shall show the cosmetologist or barber is free from all control and direction of the owner in the contract and in fact; receives payment for services from his or her individual clientele; leases, rents, or furnishes all of his or her own equipment, skills, or knowledge; and whose contract gives rise to an action for breach of contract in the event of contract termination (the existence of a single license for the cosmetological establishment or barbershop shall not be construed as a lack of freedom from control or direction under this subsection); or

(m) casual labor not in the course of an employer's trade or business performed in any calendar quarter, unless the cash remuneration paid for such service is \$50 or more and such service is performed by an individual who is regularly employed by such employer to perform such service. "Regularly employed" means the services are performed during at least 24 days in the same quarter.

(n) services performed for the installation of floor coverings if the installer:

(i) bids or negotiates a contract price based upon work performed by the yard or by the job;

(ii) is paid upon completion of an agreed upon portion of the job or after the job is completed;

(iii) may perform services for anyone without limitation;

(iv) may accept or reject any job;

(v) furnishes substantially all tools and equipment necessary to provide the services; and

(vi) works under a written contract that:

(A) gives rise to a breach of contract action if the installer or any other party fails to perform the contract obligations;

(B) states the installer is not covered by unemployment insurance; and

(C) requires the installer to provide a current workers' compensation policy or to obtain an exemption from workers' compensation requirements.

(2) "Employment" does not include elected public officials.

(3) For the purposes of 39-51-203(6), the term "employment" does not apply to service performed:

(a) in the employ of a church or convention or association of churches or an organization which is operated primarily for religious purposes and which is operated, supervised, controlled, or principally supported by a church or convention or association of churches;

(b) by a duly ordained, commissioned, or licensed minister of a church in the exercise of the church's ministry or by a member of a religious order in the exercise of duties required by such order;

(c) in a facility conducted for the purpose of carrying out a program of rehabilitation for individuals whose earning capacity is impaired by age or physical or mental deficiency or injury or providing remunerative work for individuals who, because of their impaired physical or mental capacity, cannot be readily absorbed in the competitive labor market by an individual receiving such rehabilitation or remunerative work;

(d) as part of an unemployment work-relief or work-training program assisted or financed in whole or in part by a federal agency or any agency of a state or political subdivision thereof by an individual receiving such work relief or work training; or

(e) for a state prison or other state correctional or custodial institution by an inmate of that institution."

Renumber: subsequent sections

4. Page 22, line 7.

Strike: "10"

Insert: "11"

5. Page 22, line 9.

Strike: "9"

Insert: "10"

And, as amended, be concurred in. Report adopted.

Representative Grady excused at this time.

ADVERSE COMMITTEE REPORT

HB 613 - Representative Ream moved the 3/16/89 adverse committee report on HB 613 be adopted. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cody, Compton, Connelly, Darko, Davis, DeMars, Elliott, Ellison, Eudaily, Gilbert, Glaser, Good, Gould, Guthrie, Hannah, Harper, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Peck, Ramirez, Raney, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Smith, Spring, Squires, Steppler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Mr. Speaker.
Total 68

Noes: D. Brown, Campbell, Cocchiarella, DeBruycker, Driscoll, Gervais, Grinde, Hanson, Menahan, O'Connell, Peterson, Phillips, Quilici, Ream, Stang, Swysgood, Whalen, Wyatt, Zook.
Total 19

Paired: McDonough, Aye; Driscoll, No.

Excused: Daily, Giacometto, Grady, Hansen, Harrington, Iverson, Pavlovich, Spaeth.

Total 8

Absent or not voting: Bardanoue, Blotkamp, Cohen, Patterson, Russell.

Total 5

REPORTS OF SELECT COMMITTEES

Conference Committee
on House Bill 87
Report No. 1, March 16, 1989

Mr. Speaker:

We, your Conference Committee on House Bill 87 met and considered:

The Senate Committee on Judiciary amendments to the third reading copy dated March 1, 1989.

We recommend that House Bill 87 (reference copy — salmon) be amended as follows:

The House accept the Senate amendments and that the reference copy of the bill be accepted.

And this Conference Committee report be adopted.

For the Senate:

Harp, Chairman
Halligan
Jenkins

For the House:

Kilpatrick
Good
Russell

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:

3/16/89

HB 1, introduced by Ramirez
HB 43, introduced by Boharski
HB 128, introduced by Johnson
HB 239, introduced by Simpkins
HB 251, introduced by Swysgood
HB 278, introduced by Ream
HB 351, introduced by Strizich
HB 368, introduced by Cocchiarella
HB 407, introduced by Addy
HB 434, introduced by Rice
HB 438, introduced by Gould
HB 598, introduced by Strizich
HB 605, introduced by Grady
HB 744, introduced by Quilici

House bills concurred in as amended and returned to the House for concurrence in Senate amendments:

3/16/89

HB 222, introduced by Menahan
HB 258, introduced by Spaeth
HB 332, introduced by Connelly
HB 364, introduced by R. Nelson
HB 437, introduced by Gould

Senate bills passed and transmitted to the House for concurrence: 3/16/89

SB 392, introduced by B. Brown
SB 461, introduced by Mazurek

House amendments to Senate bills concurred in:

3/16/89

SB 16, introduced by Weeding

SB 84, introduced by Vaughn

MESSAGES FROM THE GOVERNOR

John Vincent
Speaker of the House
Montana House of Representatives
State Capitol
Helena, Montana 59620

March 16, 1989

Dear Representative Vincent:

Please be informed that I have signed House Bills 341, 421, 461, and 484 on March 16, 1989.

Sincerely,

STAN STEPHENS
Governor

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 782, introduced by Quilici, Nisbet, Swysgood (by request of the Appropriations Committee), referred to Committee on Appropriations

HB 783, introduced by O'Keefe, Harp, referred to Committee on Taxation

HJR 35, introduced by Wallin, Gage, Galt, Smith, Marks, Keller, Mazurek, Norman, Quilici, Hayne, Vincent, referred to Committee on State Administration

The following Senate bills were introduced, read first time, and referred to committees:

SB 392, introduced by B. Brown, Story, Norman, Driscoll, Good, Phillips, Harrington, Patterson, Giacometto, Rehberg, Gage, Harp, Crippen, Stang, Hager, referred to Committee on Taxation

SB 461, introduced by Mazurek, Gage, Walker, Eck (by request of the Senate Taxation Committee), referred to Committee on Taxation

MOTIONS

Representative Hannah moved HB 304 be moved to the top of the second reading board. Motion carried.

Representative Gervais moved he be allowed to change his vote on HB 613, adverse committee report, from yes to no. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Simpkins in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 304 - Representative Hannah moved HB 304, second reading copy, be amended as follows:

1. Title, lines 12 and 13.

Strike: "CODIFY AUTHORIZATION FOR MEDICAID"

Insert: "ESTABLISH A 2-YEAR PILOT PROJECT FOR MEDIC-AID REIMBURSEMENT OF"

Following: "SERVICES"

Insert: "IN A RESIDENTIAL TREATMENT FACILITY"

2. Title.

Following: line 17

Insert: "41-5-523 AND"

Strike: "AND 53-6-101"

3. Title, line 19.

Following: "DATE"

Insert: "AND A TERMINATION PROVISION"

4. Page 9, line 15.

Following: "in a"

Insert: "nonhospital-based"

5. Page 9, line 21 through page 11, line 14.

Strike: section 2 in its entirety

Insert: "NEW SECTION. Section 2. Residential treatment services.

The definition of medical assistance contained in 53-6-101 includes inpatient psychiatric services for persons under 21 years of age, as provided in 42 U.S.C. 1396(d)(h), in a residential treatment facility as defined in 50-5-101(31) and that is accredited by the joint commission on accreditation of health care organizations."

6. Page 13, line 2.

Strike: "[the effective date of this act]"

Insert: "January 1, 1989,"

7. Page 13.

Following: line 5

Insert: "Section 5. Section 41-5-523, MCA, is amended to read:

"41-5-523. Disposition of delinquent youth and youth in need of supervision. (1) If a youth is found to be delinquent or in need of supervision, the youth court may enter its judgment making any of the following dispositions:

(a) place the youth on probation;

(b) commit the youth to the department. The department shall thereafter determine the appropriate placement, supervision, and rehabilitation program for the youth after considering the recommendation of the youth placement committee as provided in 41-5-527; provided, however, that:

(i) in the case of a youth in need of supervision, such commitment does not authorize the department to place the youth in a state youth correctional facility. The court shall determine whether continuation in the home would be contrary to the welfare of the child and whether reasonable efforts have been made to prevent or eliminate the need for removal of the child from his home. The court shall include such determination in the order committing the youth to the department.

(ii) in the case of a delinquent youth who is a serious juvenile offender, the judge may specify that the youth be placed in physical confinement in an appropriate facility only if the judge finds that such confinement is necessary for the protection of the public;

(iii) a youth may not be held in physical confinement for a period of time in excess of the maximum period of imprisonment that could be imposed on an adult convicted of the offense or offenses that brought the youth under the jurisdiction of the youth court. Nothing in this section limits the power of the department to enter into an aftercare agreement with the youth pursuant to 53-30-226.

(iv) a youth is under the supervision of a youth probation officer, except that a youth placed in a youth correctional facility is supervised by the department;

(c) order such further care and treatment or evaluation that does not obligate funding from the department without the department's approval, except that a youth may not be placed by a youth court in a residential treatment facility as defined in 50-5-101. Only the department may, pursuant to subsection (1)(b), place a youth in a residential treatment facility;

(d) order restitution by the youth or his parents;

(e) impose a fine as authorized by law if the violation alleged would constitute a criminal offense if committed by an adult;

(f) require the performance of community service;

(g) require the youth, his parents, his guardians, or the persons having legal custody of the youth to receive counseling services;

(h) require the medical and psychological evaluation of the youth, his parents, his guardians, or the persons having legal custody of the youth;

(i) require the parents, guardians, or other persons having legal custody of the youth to furnish such services as the court may designate; or

(j) such further care, treatment, evaluation, or relief that the court considers beneficial to the youth and the community.

(2) At any time after the youth has been taken into custody, the court may, with the consent of the youth in the manner provided in 41-5-303 for consent by a youth to a waiver of his constitutional rights or after the youth has been adjudicated delinquent or in need of supervision, order the youth to be evaluated by the department for a period not to exceed 45 days. The department shall determine the place and manner of evaluation.

(3) No evaluation of a youth may be performed at the Montana state hospital unless such youth is transferred to the district court under 41-5-206.

(4) No youth may be committed or transferred to a penal institution or other facility used for the execution of sentence of adult persons convicted of crimes.

(5) Any order of the court may be modified at any time. In the case of a youth committed to the department, an order pertaining to the

youth may be modified only upon notice to the department and subsequent hearing.

(6) Whenever the court vests legal custody in an agency, institution, or department, it must transmit with the dispositional judgment copies of a medical report and such other clinical, predisposition, or other reports and information pertinent to the care and treatment of the youth.

(7) The order of commitment to the department shall read as follows:

ORDER OF COMMITMENT

State of Montana)
) ss.
County of)

In the district court for the Judicial District.

On the day of, 19..,, a minor of this county, years of age, was brought before me charged with, Upon due proof I find that is a suitable person to be committed to the department of family services.

It is ordered that be committed to the department of family services until

The names, addresses, and occupations of the parents are:

Name	Address	Occupation
.....		

The names and addresses of their nearest relatives are:

Witness my hand this day of, A.D. 19...

Judge'''

Renumber: subsequent sections

8. Page 13, line 10.

Following: "instruction."

Insert: “(1) [Section 2] is intended to be codified as an integral part of Title 53, chapter 6, part 1, and the provisions of Title 53, chapter 6, part 1, apply to [section 2].”

(2)"

9. Page 13, line 15.

Following: "date"

Insert: “— termination”

Following: “.”

Insert: “(1)”

10. Page 13.

Following: line 16

Insert: “(2) [Section 2] terminates July 1, 1991.”

Amendment passed as follows:

Ayes: Aafedt, Addy, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily,

Gervais, Gilbert, Glaser, Good, Gould, Guthrie, Hannah, Hanson, Harper, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Smith, Squires, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 82

Noes: Bachini, Campbell, Cobb, Grinde, O'Keefe, Peck.

Total 6

Excused: Daily, Giacometto, Grady, Hansen, Harrington, Iverson, McDonough, Pavlovich, Russell, Spaeth.

Total 10

Absent or not voting: Spring, Stang.

Total 2

Representatives Giacometto, Hansen, and Pavlovich present at this time.

Representatives Patterson and Rice excused at this time.

Representative Hannah moved HB 304, as amended, do pass. Motion failed as follows:

Ayes: Addy, Blotkamp, D. Brown, J. Brown, Cobb, Cody, Darko, DeMars, Driscoll, Gervais, Glaser, Good, Gould, Hannah, Hansen, Harper, Hayne, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, McDonough, Menahan, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Peterson, Ramirez, Raney, Roth, Schye, Simon, Simpkins, Spaeth, Squires, Steppler, Stickney, Strizich, Swift, Wallin, Whalen.

Total 46

Noes: Aafedt, Bachini, Bardanouve, Boharski, Bradley, Brooke, Campbell, Clark, Cocchiarella, Cohen, Compton, Davis, DeBruycker, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Grinde, Guthrie, Hanson, Hoffman, Johnson, Kasten, Lee, Marks, McCormick, Mercer, O'Keefe, Owens, Pavlovich, Peck, Phillips, Ream, Rehberg, Rice, Smith, Spring, Stang, Swysgood, Thoft, Thomas, Westlake, Wyatt, Zook, Mr. Speaker.

Total 46

Paired: McDonough, T. Nelson, Spaeth, Ayes; Davis, Grinde, Rice, Noes.

Excused: Daily, Grady, Harrington, Iverson, Patterson, Russell.

Total 6

Absent or not voting: Connelly, Quilici.

Total 2

HB 227 - Representative Harper moved consideration of Governor's amendments to HB 227 be passed for the day. Motion carried.

Representative Grady present at this time.

HB 165 - Representative Ellison moved Senate amendments to HB 165 be not concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Boharski, Bradley, Brooke, J. Brown, Cocchiarella, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Good,

Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Peck, Peterson, Ramirez, Raney, Ream, Rehberg, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Stickney, Strizich, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 71

Noes: Blotkamp, Campbell, Clark, Cody, Cohen, Driscoll, Glaser, Guthrie, Lee, Quilici, Roth, Stepler, Swift, Swysgood, Thoft, Whalen.

Total 16

Excused: Daily, Harrington, Iverson, McDonough, Patterson, Rice, Russell, Spaeth.

Total 8

Absent or not voting: D. Brown, Cobb, Kadas, Pavlovich, Phillips.

Total 5

Representatives DeMars and Quilici excused at this time.

Representative Patterson present at this time.

HB 207 - Representative Gould moved Senate amendments to HB 207 be concurred in.

Representative Hanson excused at this time.

Representative Rice present at this time.

Representative Hannah made a substitute motion Senate amendments to HB 207 be not concurred in. Motion failed. (35-61)

Thereupon, Senate amendments to HB 207 were concurred in as follows:

Ayes: Aafedt, Bachini, Blotkamp, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, Driscoll, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harrington, Hayne, Johnson, Keller, Kilpatrick, Koehnke, McCormick, Menahan, Mercer, Moore, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ream, Rehberg, Roth, Simpkins, Smith, Squires, Stang, Strizich, Swift, Swysgood, Thomas, Zook, Mr. Speaker.

Total 60

Noes: Addy, Bardanoue, Boharski, Brooke, Cohen, DeBruycker, DeMars, Elliott, Gilbert, Hannah, Harper, Hoffman, Kasten, Kimberley, Knapp, Lee, Marks, L. Nelson, R. Nelson, T. Nelson, Peck, Ramirez, Raney, Rice, Russell, Schye, Simon, Spring, Stepler, Stickney, Thoft, Wallin, Westlake, Wyatt.

Total 34

Paired: Daily, Hanson, Harrington, Ayes; Addy, Hannah, Wallin, Noes.

Excused: Iverson, McDonough, Spaeth.

Total 3

Absent or not voting: Bradley, Kadas, Whalen.

Total 3

Representative Harper excused at this time.

HB 264 - Representative Hannah moved Senate amendments to HB 264 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cody, Cohen, Compton, Connelly, Darko, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Hayne, Hoffman, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: Cocchiarella, Davis.

Total 2

Excused: Daily, Harper, Harrington, Iverson, McDonough, Spaeth.

Total 6

Absent or not voting: Kadas, Marks, Moore, Ramirez.

Total 4

HB 289 - Representative Johnson moved Senate amendments to HB 289 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Smith, Spring, Squires, Stang, Stepler, Stickney, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: None.

Total 0

Excused: Daily, Harper, Harrington, Iverson, McDonough, Quilici, Spaeth.

Total 7

Absent or not voting: Bardanouve, Hannah, Moore, Simpkins, Strizich.

Total 5

HB 478 - Representative Roth moved Senate amendments to HB 478 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens,

Patterson, Pavlovich, Peck, Peterson, Phillips, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: Brooke, Campbell.

Total 2

Excused: Daily, Harper, Harrington, Iverson, McDonough, Quilici, Spaeth.

Total 7

Absent or not voting: Bardanouve, Hannah, Moore.

Total 3

Representative Quilici present at this time.

HB 54 - Representative Hanson moved HB 54 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Hansen, Hanson, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 81

Noes: Aafedt, Boharski, Campbell, Giacometto, Grinde, Guthrie, R. Nelson, Owens, Peck.

Total 9

Excused: Daily, Harper, Harrington, Iverson, McDonough, Spaeth.

Total 6

Absent or not voting: Bardanouve, Hannah, Moore, Pavlovich.

Total 4

HB 325 - Representative Marks moved HB 325 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: None.

Total 0

Excused: Daily, Harper, Harrington, Iverson, McDonough, Spaeth.
Total 6

Absent or not voting: Bardanouve, Hannah, Moore, O'Connell, Pavlovich.
Total 5

HB 373 - Representative Hannah moved HB 373 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cohen, Compton, Connelly, Darko, DeBruycker, DeMars, Driscoll, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Hayne, Hoffman, Johnson, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, Menahan, Moore, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Schye, Simon, Simpkins, Smith, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.
Total 74

Noes: Boharski, Campbell, Cobb, Cody, Davis, Elliott, Glaser, Guthrie, Kasten, Mercer, L. Nelson, Rice, Spring, Steppler, Swift, Zook.
Total 16

Excused: Daily, Harper, Harrington, Iverson, McDonough, Spaeth.
Total 6

Absent or not voting: Bardanouve, Good, Kadas, Peterson.
Total 4

Representatives Harper and McDonough present at this time.

HB 463 - Representative Thoft moved HB 463 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Stickney, Strizich, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: Campbell, Elliott, L. Nelson, Steppler, Swift, Swysgood.
Total 6

Excused: Daily, Harrington, Iverson, Spaeth.
Total 4

Absent or not voting: Good.
Total 1

HB 736 - Representative Gould moved HB 736 do pass. Motion carried as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Darko, Davis, DeBruycker, Driscoll, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 85

Noes: Addy, Cohen, Connelly, Elliott, Harper, Koehnke, Raney, Stang, Whalen.

Total 9

Excused: Daily, Harrington, Iverson, Spaeth.

Total 4

Absent or not voting: DeMars, Hannah.

Total 2

Representative Harper excused at this time.

SB 62 - Representative Stang moved SB 62 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Phillips, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simpkins, Smith, Spring, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Whalen, Zook, Mr. Speaker.

Total 86

Noes: Koehnke, Peck, Stepler, Westlake, Wyatt.

Total 5

Excused: Daily, Harper, Harrington, Iverson, Quilici, Spaeth.

Total 6

Absent or not voting: Gervais, Peterson, Simon.

Total 3

SB 68 - Representative D. Brown moved SB 68 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson,

Pavlovich, Peterson, Phillips, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: Clark, Peck.
Total 2

Excused: Daily, Harper, Harrington, Iverson, Quilici, Spaeth.
Total 6

Absent or not voting: Good, Russell.
Total 2

Representative Quilici present at this time.

SB 105 - Representative Giacometto moved SB 105, third reading copy, be amended as follows:

Amendments to the House Committee on Judiciary amendments dated March 14, 1989, to Senate Bill 105 read as follows:

1. Amendment No. 4.
Strike: insert in its entirety

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Boharski, J. Brown, Clark, Compton, Connelly, Davis, DeBruycker, DeMars, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Hanson, Harper, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, Mercer, Moore, R. Nelson, T. Nelson, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spring, Stepler, Stickney, Swift, Swysgood, Thoft, Thomas, Wallin, Mr. Speaker.
Total 60

Noes: Blotkamp, Brooke, D. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Driscoll, Elliott, Gervais, Good, Grinde, Guthrie, Hannah, Hansen, McCormick, McDonough, Menahan, Nisbet, O'Connell, O'Keefe, Pavlovich, Raney, Ream, Schye, Squires, Stang, Strizich, Westlake, Whalen, Wyatt, Zook.
Total 33

Excused: Daily, Harrington, Iverson, Spaeth.
Total 4

Absent or not voting: Bradley, Darko, L. Nelson.
Total 3

Representative Iverson present at this time.

Representative Addy moved SB 105, third reading copy, be amended as follows:

Amendments to the House Committee on Judiciary amendments dated March 14, 1989 to Senate Bill 105 read as follows:

1. Amendment No. 2.
Strike: "SECTIONS"
Insert: "SECTION"

2. Amendment No. 3.

Strike: "AND 61-5-707"

3. Amendment No. 5.

Strike: section 2 in its entirety

Renumber: subsequent sections

Amendment passed as follows:

Ayes: Aafedt, Addy, Bardanouve, J. Brown, Clark, Compton, Connelly, Davis, DeBruycker, Ellison, Eudaily, Giacometto, Gilbert, Good, Gould, Guthrie, Hanson, Harper, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, Mercer, Moore, R. Nelson, T. Nelson, Owens, Patterson, Peck, Ramirez, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Stang, Swift, Swysgood, Thoft, Thomas, Wallin, Zook, Mr. Speaker.

Total 51

Noes: Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Darko, DeMars, Driscoll, Elliott, Gervais, Glaser, Grady, Grinde, Hannah, Hansen, Hayne, Kadas, Koehnke, McCormick, McDonough, Menahan, L. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, Schye, Spring, Squires, Steppler, Stickney, Strizich, Westlake, Whalen, Wyatt.

Total 46

Excused: Daily, Harrington, Spaeth.

Total 3

Absent or not voting: None.

Total 0

Representative Addy moved SB 105, as amended, be concurred in.

Representative D. Brown made a substitute motion SB 105, as amended, be not concurred in. Motion carried as follows:

Ayes: Aafedt, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Glaser, Good, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Hayne, Kadas, Kasten, Kilpatrick, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Moore, L. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peterson, Quilici, Raney, Ream, Russell, Schye, Simon, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Westlake, Whalen, Wyatt.

Total 64

Noes: Addy, Bardanouve, J. Brown, DeBruycker, Ellison, Giacometto, Gilbert, Gould, Harper, Hoffman, Iverson, Johnson, Keller, Kimberley, Marks, Mercer, R. Nelson, T. Nelson, Patterson, Peck, Phillips, Ramirez, Rehberg, Rice, Roth, Simpkins, Smith, Swift, Swysgood, Thomas, Wallin, Zook, Mr. Speaker.

Total 33

Excused: Daily, Harrington, Spaeth.

Total 3

Absent or not voting: None.

Total 0

Representative Harper moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Simpkins moved the adoption of the committee report.

Representative Russell made a substitute motion HB 304 be segregated from the Committee of the Whole report. Motion carried.

Representative Mercer moved SB 105 be segregated from the Committee of the Whole report and the remainder of the report be adopted. Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 247, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Glaser, Gould, Grady, Guthrie, Hansen, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, Nisbet, O'Keefe, Owens, Patterson, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Smith, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 75

Noes: Campbell, Cobb, Giacometto, Gilbert, Good, Grinde, Hannah, Hanson, Kasten, Keller, Lee, R. Nelson, T. Nelson, O'Connell, Peterson, Ramirez, Simon, Simpkins, Swift, Swysgood, Thoft, Zook.

Total 22

Excused: Daily, Harrington, Spaeth.

Total 3

Absent or not voting: None.

Total 0

HB 375, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Daily, Harrington, Spaeth.

Total 3

Absent or not voting: None.

Total 0

HB 424, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Daily, Harrington, Spaeth.

Total 3

Absent or not voting: Bardanoue, Rice, Stang.

Total 3

HB 541, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Daily, Harrington, Spaeth.

Total 3

Absent or not voting: Bardanoue, Owens, Peck.

Total 3

HB 712 passed as follows:

Ayes: Aafedt, Addy, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spring,

Squires, Stang, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.

Total 83

Noes: Bachini, Campbell, Driscoll, Kasten, Koehnke, L. Nelson, Patterson, Peck, Schye, Steppler, Swysgood, Wyatt.

Total 12

Excused: Daily, Harrington, Spaeth.

Total 3

Absent or not voting: Bardanouve, Compton.

Total 2

SB 65 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.

Total 87

Noes: Campbell, DeBruycker, Good, Lee, Patterson, Wyatt.

Total 6

Excused: Daily, Harrington, Spaeth.

Total 3

Absent or not voting: Bardanouve, D. Brown, Guthrie, Keller.

Total 4

SB 113 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Cody, Russell.

Total 2

Excused: Daily, Harrington, Spaeth.

Total 3

Absent or not voting: Bardanouve, Blotkamp.

Total 2

SB 201 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Darko, Davis, DeBruycker, DeMars, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Smith, Spring, Squires, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.
Total 87

Noes: Bardanouve, Cohen, Connelly, Driscoll, Elliott, Kadas, O'Keefe, Russell, Stang, Wyatt.
Total 10

Excused: Daily, Harrington, Spaeth.
Total 3

Absent or not voting: None.
Total 0

SB 216 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: Daily, Harrington, Spaeth.
Total 3

Absent or not voting: Good.
Total 1

SB 256 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens,

Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spring, Squires, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 93

Noes: Smith, Stang, Zook.

Total 3

Excused: Daily, Harrington, Spaeth.

Total 3

Absent or not voting: Knapp.

Total 1

SB 382 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Darko, DeMars, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, O'Connell, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 80

Noes: Cohen, Connelly, Davis, DeBruycker, Driscoll, Elliott, Gervais, Harper, Menahan, Nisbet, O'Keefe, Patterson, Russell, Stepler, Whalen.

Total 15

Excused: Daily, Harrington, Spaeth.

Total 3

Absent or not voting: Bardanouve, Grinde.

Total 2

SB 386 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeMars, Driscoll, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McDonough, Mercer, Moore, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.

Total 83

Noes: Brooke, Campbell, DeBruycker, Elliott, Harper, Kadas, McCormick, Menahan, L. Nelson, O'Keefe, Raney, Ream, Stepler, Wyatt.

Total 14

Excused: Daily, Harrington, Spaeth.

Total 3

Absent or not voting: None.

Total 0

SB 407 concurred in as follows:

Ayes: Addy, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, Driscoll, Eudaily, Gervais, Giacometto, Good, Gould, Grady, Guthrie, Hannah, Hansen, Harper, Iverson, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Schye, Simon, Smith, Spring, Squires, Stepler, Stickney, Strizich, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 71

Noes: Aafedt, Bachini, Clark, Cobb, DeMars, Elliott, Ellison, Gilbert, Glaser, Grinde, Hanson, Hayne, Hoffman, Keller, Koehnke, Owens, Patterson, Peck, Peterson, Phillips, Roth, Simpkins, Stang, Swift, Swysgood.

Total 25

Excused: Daily, Harrington, Spaeth.

Total 3

Absent or not voting: Bardanoue.

Total 1

SB 409 concurred in as follows:

Ayes: Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Gilbert, Glaser, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 85

Noes: Aafedt, Cohen, Ellison, Giacometto, Good, Grinde, O'Keefe, Owens, Peck, Peterson, Stepler.

Total 11

Excused: Daily, Harrington, Spaeth.

Total 3

Absent or not voting: Bardanoue.

Total 1

SB 447 concurred in as follows:

Ayes: Addy, Bachini, Bardanoue, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Glaser, Gould, Grady, Hansen, Hanson, Harper, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Phillips, Quilici, Ramirez,

Raney, Ream, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Stickney, Strizich, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 75

Noes: Aafedt, Campbell, Cobb, DeBruycker, Ellison, Giacometto, Gilbert, Good, Grinde, Guthrie, Hannah, Hayne, Kasten, L. Nelson, Owens, Peterson, Rehberg, Steppler, Swift, Swysgood, Thoft, Thomas.

Total 22

Excused: Daily, Harrington, Spaeth.

Total 3

Absent or not voting: None.

Total 0

SB 454 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Hansen, Hanson, Harper, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 84

Noes: Campbell, Giacometto, Grinde, Guthrie, Hannah, Hayne, Kasten, Koehnke, Peterson, Swysgood, Thoft.

Total 11

Excused: Daily, Harrington, Spaeth.

Total 3

Absent or not voting: Bardanouve, Ellison.

Total 2

SJR 5 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Daily, Harrington, Spaeth.

Total 3

Absent or not voting: None.

Total 0

SJR 15 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cody, Cohen, Compton, Connelly, Darko, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Bardanouve, Brooke, Cocchiarella, Davis, Grinde, Ream.

Total 6

Excused: Daily, Harrington, Spaeth.

Total 3

Absent or not voting: None.

Total 0

SJR 16 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cody, Compton, Connelly, Darko, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hoffman, Iverson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Mercer, Moore, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peterson, Phillips, Quilici, Raney, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Spring, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook.

Total 74

Noes: Bardanouve, Blotkamp, Brooke, Cocchiarella, Cohen, Davis, Ellison, Gervais, Hayne, Johnson, Kadas, Koehnke, Menahan, L. Nelson, Owens, Peck, Ramirez, Ream, Russell, Smith, Stepler.

Total 21

Excused: Daily, Harrington, Spaeth.

Total 3

Absent or not voting: R. Nelson, Mr. Speaker.

Total 2

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

3/17/89

Correctly printed: HB 293, HB 370, HB 462, HB 469, HB 754, HB 769.

Correctly enrolled: HB 77, HB 144, HB 177, HB 216, HB 270, HB 408, HB 416, HB 426, HB 443, HB 470, HB 488, HB 499, HB 527, HB 540, HB 604, HB 636, HJR 10.

Examined by the sponsors and found to be correct:

HB 77 - Thoft
HB 144 - L. Nelson
HB 177 - J. Brown
HB 216 - Wallin
HB 270 - Ramirez
HB 408 - Simon
HB 416 - Hoffman
HB 426 - Wallin
HB 443 - Whalen
HB 470 - Rice
HB 488 - Brooke
HB 499 - Giacometto
HB 527 - Zook
HB 540 - Raney
HB 604 - O'Connell
HB 636 - Pavlovich
HJR 10 - J. Brown

Signed by the Speaker at 8:00 a.m., 3/17/89: HB 68, HB 71, HB 124, HB 147, HB 225, HB 228, HB 232, HB 242, HB 243, HB 273, HB 292, HB 309, HB 310, HB 327, HB 352, HB 362, HB 366, HB 397, HB 409, HB 454, HB 519, HB 611, HB 658, HB 706.

Signed by the Speaker at 3:00 p.m., 3/17/89: SB 159, SB 195, SB 210, SB 218, SB 232, SB 310, SB 332, SB 370, SB 417, SB 438, SB 443.

SPECIAL ORDERS OF THE DAY

The following sponsors were added to HB 739: Patterson, Cobb, Giacometto, Spaeth, Rice, Hannah, Peterson, Compton, Simpkins, Kadas, Driscoll, and Connelly.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved the House adjourn until 10:30 a.m., Saturday, March 18, 1989.

Motion carried.

House adjourned at 4:00 p.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

SIXTY-THIRD LEGISLATIVE DAY

Helena, Montana
March 18, 1989

House Chambers
State Capitol

House convened at 10:30 a.m., Mr. Speaker in the Chair. Invocation by Representative Hayne. Pledge of Allegiance to the Flag.

Roll call. All members present except Aafedt, Cohen, Hannah, Harrington, Moore, T. Nelson, Owens, Rice, Russell, Spaeth, and Stang, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journals for the fifty-sixth, fifty-eighth, and fifty-ninth legislative days, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 3/18/89
Correctly printed: HB 56, HB 333, HB 507, HB 563, HB 583, HB 772, HB 775, HB 776, HB 777, HB 778, HJR 31.
Correctly engrossed: HB 54, HB 325, HB 373, HB 463, HB 736, SB 385.
Signed by the Speaker at 5:00 p.m., 3/17/89: HB 77, HB 144, HB 177, HB 216, HB 270, HB 408, HB 416, HB 426, HB 443, HB 470, HB 488, HB 499, HB 527, HB 540, HB 604, HB 636, HJR 10.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House: 3/17/89
HB 344, introduced by Nisbet
HB 448, introduced by Menahan
HB 471, introduced by Glaser
HB 491, introduced by Spaeth
HB 492, introduced by Spaeth
HB 620, introduced by Vincent
HB 670, introduced by Cody
HJR 9, introduced by Mercer
HJR 18, introduced by Menahan

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 3/17/89
HB 122, introduced by Spaeth
HB 169, introduced by Lee
HB 455, introduced by Zook
HB 561, introduced by Addy
HB 651, introduced by Spaeth
HB 691, introduced by Simpkins
HB 727, introduced by Marks

House bill not concurred in and returned to the House: 3/17/89
HB 689, introduced by Harrington

House amendments to Senate bill concurred in: 3/17/89
SB 340, introduced by Williams

The Senate, on 3/17/89, acceded to the request of the House and appointed a free conference committee to meet with a like committee from the House to confer on Governor's amendments to HB 58.

President Galt appointed the following members:

Senator Crippen, Chairman
Senator Hager
Senator Regan

The Senate, on 3/17/89, acceded to the request of the House and appointed a conference committee to meet with a like committee from the House to confer on Senate amendments to HB 496.

President Galt appointed the following members:

Senator Gage, Chairman
Senator Story
Senator Mazurek

The Senate, on 3/15/89, failed to concur in House amendments to SB 77 and appointed a conference committee, requesting that the House appoint a like committee to confer on House amendments to SB 77.

President Galt appointed the following members:

Senator Beck, Chairman
Senator Nathe
Senator Vaughn

The Senate, on 3/14/89, failed to concur in House amendments to SB 204 and appointed a conference committee, requesting that the House appoint a like committee to confer on House amendments to SB 204.

President Galt appointed the following members:

Senator Lynch, Chairman
Senator Norman
Senator Harp

The Senate, on 3/14/89, failed to concur House amendments to SB 284 and appointed a conference committee, requesting that the House appoint a like committee to confer on House amendments to SB 284.

President Galt appointed the following members:

Senator Thayer, Chairman
Senator Noble
Senator Weeding

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 784, introduced by Nisbet, Menahan, Walker, Schye, O'Connell, McDonough, Strizich, DeMars, Kilpatrick, Stang, Eudaily, Harper, Nathe, Driscoll, Patterson, Harrington, Quilici, Manning, Van Valkenburg, Phillips, McCormick, Darko, referred to Committee on Appropriations

HB 785, introduced by Mercer, Pavlovich (by request of the Governor), referred to Committee on Appropriations

HB 786, introduced by Addy, referred to Committee on Appropriations

MOTIONS

Representative Raney moved the rules be suspended to permit the late introduction of a bill. Motion carried.

Representative Mercer moved consideration of HB 304 and Governor's amendments to HB 227 be passed for the day. Motion carried.

Representative Harper moved the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 165. Motion carried.

Speaker Vincent appointed the following members:

Representative Stang, Chairman
Representative Bachini
Representative Ellison

Representative Menahan moved the rules be suspended to permit the late drafting and introduction of a joint resolution. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Driscoll in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 105 - Representative Harper moved SB 105 be placed below SB 325 on the second reading board. Motion carried.

SB 106 - Representative L. Nelson moved SB 106 be concurred in. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Schye, Simon, Simpkins, Smith, Spring, Squires, Steppler, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.
Total 84

Noes: Brooke, Kilpatrick, Kimberley, Stickney, Whalen.
Total 5

Excused: Aafedt, Cohen, Hannah, Harrington, Moore, T. Nelson, Owens, Rice, Russell, Spaeth, Stang.
Total 11

Absent or not voting: None.
Total 0

Representative Russell present at this time.

SB 107 - Representative Mercer moved SB 107 be concurred in. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto,

Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Hayne, Hoffman, Iverson, Kadas, Kasten, Keller, Knapp, Lee, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Roth, Simon, Simpkins, Smith, Spring, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 74

Noes: Boharski, Brooke, Cocchiarella, Driscoll, Harper, Johnson, Kilpatrick, Kimberley, Koehnke, O'Keefe, Ream, Russell, Schye, Whalen.

Total 14

Excused: Aafedt, Cohen, Hannah, Harrington, Moore, T. Nelson, Owens, Rice, Spaeth, Stang.

Total 10

Absent or not voting: Marks, Squires.

Total 2

Representative Grady excused at this time.

SB 108 - Representative Gould moved SB 108 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hansen, Hanson, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stepler, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 78

Noes: Addy, Brooke, Driscoll, Harper, Kilpatrick, Kimberley, Koehnke, O'Keefe, Stickney, Whalen.

Total 10

Excused: Aafedt, Cohen, Grady, Hannah, Harrington, Moore, T. Nelson, Owens, Rice, Spaeth, Stang.

Total 11

Absent or not voting: Kadas.

Total 1

SB 250 - Representative Campbell moved SB 250 be concurred in. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cody, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 85

Noes: Cocchiarella.

Total 1

Excused: Aafedt, Cohen, Grady, Hannah, Harrington, Moore, T. Nelson, Owens, Rice, Spaeth, Stang.

Total 11

Absent or not voting: Bradley, Cobb, Daily.

Total 3

SB 260 - Representative Ream moved SB 260 be concurred in. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: None.

Total 0

Excused: Aafedt, Cohen, Grady, Hannah, Harrington, Moore, T. Nelson, Owens, Rice, Spaeth, Stang.

Total 11

Absent or not voting: Peterson.

Total 1

Representative Moore present at this time.

SB 325 - Representative Russell moved SB 325 be concurred in. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, DeMars, Driscoll, Elliott, Eudaily, Gervais, Gould, Hansen, Harper, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough, Menahan, Moore, L. Nelson, R. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, Russell, Schye, Smith, Spring, Squires, Stepler, Stickney, Strizich, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 57

Noes: Boharski, Campbell, Clark, DeBruycker, Ellison, Giacometto, Gilbert, Glaser, Good, Grinde, Guthrie, Hanson, Hayne, Hoffman, Kasten, Keller, Lee, Marks, Mercer, Patterson, Peterson, Phillips, Rehberg, Roth, Simon, Simpkins, Swift, Swysgood, Thoft, Thomas, Zook.

Total 31

Excused: Aafedt, Cohen, Grady, Hannah, Harrington, T. Nelson, Owens, Rice, Spaeth, Stang.

Total 10

Absent or not voting: Davis, Ramirez.

Total 2

Representatives Grady and T. Nelson present at this time.

SB 105 - Representative D. Brown moved SB 105, third reading copy, be amended.

Representative Giacometto made a substitute motion SB 105 be placed at the bottom of the second reading board. Motion failed.

Thereupon, the amendment failed. (38-56)

Representative D. Brown moved SB 105, third reading copy, be amended as follows:

1. Page 3, line 7.

Following: "list"

Insert: "for any purpose"

Amendment passed as follows:

Ayes: Addy, Bachini, Bardanoue, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: Clark.

Total 1

Excused: Aafedt, Cohen, Hannah, Harrington, Owens, Rice, Spaeth, Stang.

Total 8

Absent or not voting: DeBruycker, Kadas.

Total 2

Representative Rice present at this time.

Representative Addy moved SB 105, as amended, be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanoue, Bradley, J. Brown, Campbell, Clark, Compton, Daily, DeBruycker, Ellison, Eudaily, Giacometto, Gilbert, Gould, Grady, Guthrie, Harper, Hayne, Johnson, Kasten, Keller, Kimberley, Knapp, Lee, Marks, Mercer, Moore, R. Nelson, T. Nelson, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Squires, Swift, Swysgood, Thoft, Thomas, Wallin, Zook, Mr. Speaker.

Total 54

Noes: Blotkamp, Boharski, Brooke, D. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Darko, Davis, DeMars, Driscoll, Elliott, Gervais, Glaser, Good, Grinde, Hannah, Hansen, Hanson, Harrington, Hoffman, Iverson, Kadas, Kilpatrick, Koehnke, McCormick, McDonough, Menahan, L.

Nelson, Nisbet, O'Keefe, Raney, Ream, Schye, Spring, Stang, Stepler, Stickney, Strizich, Westlake, Whalen, Wyatt.

Total 44

Paired: Aafedt, Giacometto, Gilbert, Owens, Quilici, Rehberg, Ayes; Cohen, Darko, Hannah, Harrington, Nisbet, Stang, Noes.

Excused: Spaeth.

Total 1

Absent or not voting: O'Connell.

Total 1

SB 355 - Representative Swysgood moved SB 355 be concurred in. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: Campbell.

Total 1

Excused: Aafedt, Cohen, Hannah, Harrington, Owens, Spaeth, Stang.

Total 7

Absent or not voting: Gilbert, Kadas, Roth.

Total 3

SB 381 - Representative Whalen moved SB 381 be concurred in. Motion carried as follows:

Ayes: Addy, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Squires, Stepler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 79

Noes: Bachini, Campbell, Cohen, Compton, DeBruycker, Elliott, Giacometto, Grinde, Guthrie, Harper, Lee, T. Nelson, Rehberg, Spring, Swysgood.

Total 15

Paired: Ramirez, Aye; Cohen, No.

Excused: Aafedt, Hannah, Harrington, Owens, Spaeth, Stang.

Total 6

Absent or not voting: None.

Total 0

SB 421 - Representative Smith moved SB 421 be concurred in. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connolly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Aafedt, Cohen, Hannah, Harrington, Owens, Spaeth, Stang.

Total 7

Absent or not voting: Kilpatrick.

Total 1

SB 427 - Representative R. Nelson moved SB 427 be concurred in. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Compton, Connolly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Cobb.

Total 1

Excused: Aafedt, Cohen, Hannah, Harrington, Owens, Spaeth, Stang.

Total 7

Absent or not voting: None.

Total 0

SB 437 - Representative Simon moved SB 437, third reading copy, be amended as follows:

1. Page 3, line 10.

Following: "the"

Strike: "board"
Insert: "department"

2. Page 3.

Following: line 12

Strike: subsection (2) in its entirety

Renumber: subsequent sections

Amendment passed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: None.

Total 0

Excused: Aafedt, Cohen, Hannah, Harrington, Owens, Spaeth, Stang.

Total 7

Absent or not voting: Good, Kadas.

Total 2

Representative J. Brown moved SB 437, as amended, be concurred in.
Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Squires, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: Ellison, Kasten, Marks, Spring.

Total 4

Excused: Aafedt, Cohen, Hannah, Harrington, Owens, Spaeth, Stang.

Total 7

Absent or not voting: D. Brown, Phillips.

Total 2

SB 439 - Representative Spring moved SB 439 be concurred in. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton,

Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: None.
Total 0

Excused: Aafedt, Cohen, Hannah, Harrington, Owens, Spaeth, Stang.
Total 7

Absent or not voting: Ream.
Total 1

Representative Quilici excused at this time.

SB 450 - Representative Giacometto moved SB 450 be concurred in.
Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 88

Noes: Gilbert.
Total 1

Excused: Aafedt, Cohen, Hannah, Harrington, Owens, Quilici, Spaeth, Stang.
Total 8

Absent or not voting: D. Brown, Cocchiarella, Kimberley.
Total 3

Representative Quilici present at this time.

HB 614 - Representative Wyatt moved HB 614 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Hansen, Hanson, Harper, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream,

Russell, Schye, Simon, Squires, Steppler, Stickney, Strizich, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 67

Noes: Campbell, Clark, Cobb, Ellison, Giacometto, Grinde, Guthrie, Hayne, Hoffman, Kasten, Keller, Lee, Patterson, Peterson, Rehberg, Rice, Roth, Simpkins, Smith, Spring, Swift, Swysgood, Thoft, Thomas, Wallin.

Total 25

Excused: Aafedt, Cohen, Hannah, Harrington, Owens, Spaeth, Stang.

Total 7

Absent or not voting: Ramirez.

Total 1

HB 709 - Representative Hanson moved consideration of HB 709 be passed for the day. Motion carried.

HJR 30 - Representative Clark moved HJR 30 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.

Total 85

Noes: Ellison, Gilbert, R. Nelson, O'Keefe.

Total 4

Excused: Aafedt, Cohen, Hannah, Harrington, Owens, Spaeth, Stang.

Total 7

Absent or not voting: Kadas, T. Nelson, Peck, Wyatt.

Total 4

SB 91 - Representative Moore moved SB 91, third reading copy, be amended as follows:

Amendments to House Committee on Natural Resources amendment dated March 11, 1989 to Senate Bill 91 read as follows:

1. Amendment No. 12.

In insert, subsection (a)

Following: "land"

Insert: ", lake, or stream"

Amendment passed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee,

Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stepler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: Peterson, Ramirez, Swysgood.
Total 3

Excused: Aafedt, Cohen, Hannah, Harrington, Owens, Spaeth, Stang.
Total 7

Absent or not voting: Grinde.
Total 1

Representative Moore moved SB 91, as amended, be concurred in.
Motion failed as follows:

Ayes: Addy, Blotkamp, Boharski, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Daily, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Harper, Hayne, Hoffman, Kadas, Kasten, Keller, McCormick, McDonough, Moore, R. Nelson, Nisbet, O'Connell, Patterson, Phillips, Ream, Simpkins, Smith, Squires, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt.
Total 46

Noes: Bachini, Bardanoue, Bradley, Cody, Compton, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gilbert, Hanson, Harrington, Iverson, Johnson, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, Menahan, Mercer, L. Nelson, T. Nelson, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Spring, Stepler, Stickney, Swysgood, Thoft, Zook, Mr. Speaker.
Total 47

Paired: Cohen, Giacometto, Ayes; Harrington, Menahan, Noes.

Excused: Aafedt, Hannah, Owens, Spaeth, Stang.
Total 5

Absent or not voting: D. Brown, Connelly.
Total 2

Representative Thomas excused at this time.

SB 94 - Representative Koehnke moved SB 94 be concurred in. Motion carried as follows:

Ayes: Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 86

Noes: Campbell, Driscoll, Lee, R. Nelson, Stepler.
Total 5

Excused: Aafedt, Cohen, Hannah, Harrington, Owens, Spaeth, Stang, Thomas.
Total 8

Absent or not voting: Bardanouve.
Total 1

Representative Thomas present at this time.

Representatives Iverson and Kasten excused at this time.

SB 196 - Representative D. Brown moved SB 196 be concurred in.

Representative Bachini made a substitute motion to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative Bachini moved SB 196, third reading copy, be amended as follows:

1. Page 1, line 16.
Following: "~~\$61,722~~"
Strike: "~~\$57,722~~"
Insert: "~~\$54,722~~"

2. Page 1, line 17.
Following: "~~\$64,222~~"
Strike: "~~\$63,722~~"
Insert: "~~\$57,722~~"

3. Page 1, line 20.
Following: "~~\$60,452~~"
Strike: "~~\$56,452~~"
Insert: "~~\$53,452~~"

4. Page 1, line 21.
Following: "~~\$62,952~~"
Strike: "~~\$62,452~~"
Insert: "~~\$56,452~~"

5. Page 2, line 25.
Following: "~~\$50,178~~"
Strike: "~~\$55,178~~"
Insert: "~~\$52,178~~"

6. Page 3, line 1.
Following: "~~\$61,678~~"
Strike: "~~\$61,178~~"
Insert: "~~\$55,178~~"

Amendment passed as follows:

Ayes: Bachini, Blotkamp, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Compton, Connelly, Daily, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Hansen, Hanson, Harper, Hayne, Hoffman, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Ramirez, Raney, Rehberg, Roth, Russell, Simpkins, Smith, Spring, Squires, Stepler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Wyatt, Zook.

Total 66

Noes: Addy, Boharski, Bradley, Brooke, Cody, Darko, DeBruycker, Gervais, Grady, Guthrie, Lee, Menahan, Nisbet, Peterson, Phillips, Rice, Schye, Whalen, Mr. Speaker.

Total 19

Excused: Aafedt, Hannah, Harrington, Iverson, Kasten, Owens, Stang.

Total 7

Absent or not voting: Bardanouve, Cohen, Quilici, Ream, Spaeth, Swysgood, Thoft.

Total 7

Abstained: Simon.

Representative D. Brown moved SB 196, third reading copy, be amended. Amendment failed. (40-47)

Thereupon, SB 196, as amended, was concurred in as follows:

Ayes: Addy, Bachini, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Ellison, Eudaily, Gervais, Good, Gould, Grady, Harper, Hoffman, Iverson, Johnson, Kasten, Kilpatrick, Kimberley, Knapp, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Ramirez, Raney, Ream, Rice, Russell, Schye, Simpkins, Spaeth, Squires, Stickney, Strizich, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 60

Noes: Blotkamp, Boharski, Campbell, Clark, Compton, DeBruycker, Driscoll, Elliott, Giacometto, Gilbert, Glaser, Grinde, Guthrie, Hansen, Hanson, Hayne, Kadas, Keller, Koehnke, Lee, Owens, Patterson, Peterson, Phillips, Rehberg, Roth, Smith, Spring, Stepler, Swift, Swysgood, Thoft, Westlake.

Total 33

Paired: Cohen, Iverson, Kasten, Spaeth, Ayes; Owens, Rehberg, Smith, Westlake, Noes.

Excused: Aafedt, Hannah, Harrington, Stang.

Total 4

Absent or not voting: Bardanouve, Quilici, Simon.

Total 3

Abstained: Simon.

Representative Harper moved HB 370, HB 462, HB 469, and HB 769 be placed at the top of the second reading board. Motion carried.

Representative Clark excused at this time.

HB 370 - Representative Cocchiarella moved HB 370 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Ellison, Eudaily, Gervais, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harper, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell,

O'Keefe, Patterson, Pavlovich, Peck, Phillips, Raney, Ream, Rice, Russell, Schye, Simon, Spring, Squires, Stickney, Strizich, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.
Total 68

Noes: Boharski, Elliott, Giacometto, Good, Grinde, Guthrie, Hayne, Hoffman, Keller, Lee, Peterson, Ramirez, Rehberg, Roth, Simpkins, Smith, Stepler, Swift, Zook.
Total 19

Excused: Aafedt, Clark, Cohen, Hannah, Harrington, Iverson, Kasten, Owens, Spaeth, Stang.
Total 10

Absent or not voting: Bardanouve, Cobb, Quilici.
Total 3

Representatives Kasten and Iverson present at this time.

HB 462 - Representative Harper moved HB 462 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Hayne, Hoffman, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, Rice, Roth, Russell, Schye, Simon, Smith, Squires, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 80

Noes: Campbell, Keller, Knapp, Lee, Phillips, Ramirez, Rehberg, Simpkins, Spring.
Total 9

Excused: Aafedt, Clark, Cohen, Hannah, Harrington, Owens, Spaeth, Stang.
Total 8

Absent or not voting: Cobb, Iverson, Moore.
Total 3

HB 469 - Representative Addy moved HB 469 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, J. Brown, Cobb, Cocchiarella, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harper, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 78

Noes: Boharski, Campbell, Cody, Ellison, Gilbert, Good, Guthrie, Hayne, Kasten, Peterson, Phillips, Steppler, Thomas.

Total 13

Excused: Aafedt, Clark, Cohen, Hannah, Harrington, Owens, Spaeth, Stang.

Total 8

Absent or not voting: D. Brown.

Total 1

HB 769 - Representative Elliott moved HB 769 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Glaser, Good, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Hayne, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough, Menahan, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Ramirez, Raney, Ream, Rehberg, Russell, Schye, Spring, Squires, Steppler, Stickney, Strizich, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 68

Noes: Boharski, Campbell, Giacometto, Gilbert, Gould, Hoffman, Iverson, Kasten, Lee, Marks, Mercer, Peck, Peterson, Phillips, Quilici, Rice, Roth, Simon, Simpkins, Smith, Swift, Swysgood, Thoft, Thomas.

Total 24

Excused: Aafedt, Clark, Cohen, Hannah, Harrington, Owens, Spaeth, Stang.

Total 8

Absent or not voting: None.

Total 0

Representative Harper moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Driscoll moved the adoption of the committee report. Report adopted. (75-13)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 207, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Blotkamp, Brooke, D. Brown, J. Brown, Campbell, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Guthrie, Hansen, Harper, Hayne, Hoffman, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ream, Rehberg, Roth, Russell, Simpkins, Smith, Spring, Squires, Stickney, Strizich, Swift, Swysgood, Thomas, Wyatt, Zook, Mr. Speaker.

Total 66

Noes: Addy, Boharski, Bradley, DeBruycker, Elliott, Gilbert, Hansen, Iverson, Kasten, Knapp, Lee, R. Nelson, T. Nelson, Peck, Ramirez, Raney, Rice, Schye, Simon, Steppler, Thoft, Wallin, Westlake.

Total 23

Excused: Aafedt, Clark, Cohen, Hannah, Harrington, Owens, Spaeth, Stang.

Total 8

Absent or not voting: Cobb, Grinde, Whalen.

Total 3

HB 264, Senate amendments, concurred in as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cody, Compton, Connelly, Darko, DeBruycker, DeMars, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 83

Noes: Cocchiarella, Daily, Davis, Driscoll, Elliott, O'Connell, O'Keefe, Whalen.

Total 8

Excused: Aafedt, Clark, Cohen, Hannah, Harrington, Owens, Spaeth, Stang.

Total 8

Absent or not voting: Cobb.

Total 1

HB 289, Senate amendments, concurred in as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: O'Keefe, Raney.

Total 2

Excused: Aafedt, Clark, Cohen, Hannah, Harrington, Owens, Spaeth, Stang.

Total 8

Absent or not voting: Cobb, Hansen.

Total 2

HB 478, Senate amendments, concurred in as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, J. Brown, Cobb, Cocchiarella, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.

Total 85

Noes: Brooke, D. Brown, Campbell, Cody, Driscoll, Good, Wyatt.

Total 7

Excused: Aafedt, Clark, Cohen, Hannah, Harrington, Owens, Spaeth, Stang.

Total 8

Absent or not voting: None.

Total 0

HB 44 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.

Total 87

Noes: Guthrie, Kadas, Wyatt.

Total 3

Excused: Aafedt, Clark, Cohen, Hannah, Harrington, Owens, Spaeth, Stang.

Total 8

Absent or not voting: Ellison, Roth.

Total 2

SB 42 concurred in as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring,

Squires, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: None.
Total 0

Excused: Aafedt, Clark, Cohen, Hannah, Harrington, Owens, Spaeth, Stang.
Total 8

Absent or not voting: None.
Total 0

SB 62 concurred in as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Smith, Spring, Squires, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.
Total 83

Noes: Cody, Harper, Koehnke, Peck, Peterson, Schye, Steppler, Wyatt.
Total 8

Excused: Aafedt, Clark, Cohen, Hannah, Harrington, Owens, Spaeth, Stang.
Total 8

Absent or not voting: Simpkins.
Total 1

SB 68 concurred in as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: None.
Total 0

Excused: Aafedt, Clark, Cohen, Hannah, Harrington, Owens, Spaeth, Stang.
Total 8

Absent or not voting: None.

Total 0

SB 276 concurred in as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: DeBruycker, Good.

Total 2

Excused: Aafedt, Clark, Cohen, Hannah, Harrington, Owens, Spaeth, Stang.

Total 8

Absent or not voting: Hansen.

Total 1

SJR 14 concurred in as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Smith, Spring, Squires, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: None.

Total 0

Excused: Aafedt, Clark, Cohen, Hannah, Harrington, Owens, Spaeth, Stang.

Total 8

Absent or not voting: Simpkins.

Total 1

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

3/18/89

Correctly printed: HB 193, HB 233, HB 398, HB 601, HJR 32.

Correctly enrolled: HB 118, HB 172, HB 206, HB 248, HB 249, HB 312, HB 345, HB 377, HB 385, HB 453, HB 482, HB 521, HB 683.

Examined by the sponsors and found to be correct:

HB 118 - Cody
HB 172 - Swift
HB 206 - Gould
HB 248 - McDonough
HB 249 - Glaser
HB 312 - Connelly
HB 345 - Thomas
HB 377 - Daily
HB 385 - Simon
HB 453 - Cody
HB 482 - Cocchiarella
HB 521 - Good
HB 683 - Marks

Signed by the Speaker at 2:00 p.m., 3/18/89: HB 118, HB 172, HB 206, HB 248, HB 249, HB 312, HB 345, HB 377, HB 385, HB 453, HB 482, HB 521, HB 683.

Delivered to the Governor for his approval at 11:15 a.m., 3/18/89: HB 68, HB 71, HB 124, HB 147, HB 225, HB 228, HB 232, HB 242, HB 243, HB 273, HB 292, HB 309, HB 310, HB 327, HB 352, HB 362, HB 366, HB 397, HB 409, HB 454, HB 519, HB 611, HB 658, HB 706.

Delivered to the Governor for his approval at 12:05 p.m., 3/18/89: HB 77, HB 144, HB 177, HB 216, HB 408, HB 270, HB 416, HB 426, HB 443, HB 470, HB 488, HB 499, HB 527, HB 540, HB 604, HB 636.

AGRICULTURE, LIVESTOCK, AND IRRIGATION (Bachini, Chairman):
3/18/89

SB 111, third reading copy, be amended as follows:

1. Title, line 8.

Strike: "PREGNANCY TESTING AND"

2. Page 2, line 5.

Strike: "and"

3. Page 2, line 7.

Strike: "pregnancy testing and"

4. Page 2, line 8.

Following: "1991"

Insert: "; and"

5. Page 2.

Following: line 8

Insert: "(5) formation of an advisory committee to make recommendations regarding the certification of individuals seeking to practice embryo transfers"

6. Page 6, line 2.

Strike: "PREGNANCY TESTING AND EMBRYO"

Insert: "Embryo"

7. Page 6, line 3.

Following: "PERFORMED"

Insert: ", under the direct supervision of a licensed veterinarian,"

8. Page 6, line 5.

Strike: "THOSE PROCEDURES"

Insert: "that procedure"

9. Page 6, lines 23 and 24.
Strike: "CONSISTING OF:"
Insert: ". The committee:

(A) must consist of:"

10. Page 6, line 25.
Strike: "(A)"
Insert: "(I)"
Following: "BOARD"
Insert: "who is a veterinarian"

11. Page 7, line 1.
Strike: "(B)"
Insert: "(II)"

12. Page 7, line 3.
Strike: "(C)"
Insert: "(III)"

13. Page 7, line 5.
Strike: "(D)"
Insert: "(IV)"

14. Page 7, line 7.
Strike: "(E)"
Insert: "(V)"
Following: "LAY"
Insert: "veterinary"
Following: "SPECIALIST"
Insert: "with practical experience in embryo transfers"

15. Page 7, line 8.
Strike: "(F)"
Insert: "(VI)"

16. Page 7.
Following: line 9
Insert: "(B) shall make recommendations regarding the testing and certification procedures. The committee may not adopt rules.

(C) in cooperation with the board, shall conduct a study of the practice of bovine pregnancy testing and ovine pregnancy testing with the use of ultrasound equipment. The study must include but is not limited to:

(I) federal laws governing the practice of pregnancy testing;

(II) education and experience requirements for the practice of pregnancy testing; and

(III) pregnancy testing by nonveterinarians;

(D) terminates July 1, 1991."

17. Page 7, line 10.
Strike: "(3)"
Insert: "(4)"

18. Page 7, line 12.
Following: "full-time"
Insert: "full-time"
Following: "employees"

Insert: “, as defined in 2-18-601,”

19. Page 7, line 16.

Strike: “(4)”

Insert: “(5)”

And, as amended, be concurred in. Report adopted.

APPROPRIATIONS (Bardanoue, Chairman):

3/18/89

HB 277, introduced bill, be amended as follows:

1. Page 3, line 1.

Strike: “\$435,800”

Insert: “\$100,000”

And, as amended, do pass. Report adopted.

HB 329, do pass. Report adopted.

HB 510, second reading copy, be amended as follows:

1. Page 6, line 15.

Following: “THREE”

Insert: “college or”

Following: “UNIVERSITY”

Strike: “SYSTEM”

2. Page 6, line 17.

Following: “year”

Insert: “as provided in subsections (1) through (3)”

And, as amended, do pass. Report adopted.

HB 535, do pass. Report adopted.

HB 547, introduced bill, be amended as follows:

1. Page 2, line 15.

Strike: “August”

Insert: “June”

2. Page 3, line 13.

Strike: “October 31”

Insert: “April 1”

3. Page 3, lines 14 through 16.

Strike: subsection (4) in its entirety

Insert: “(4) (a) The recommendation of the site selection committee is binding.

(b) The committee’s expenses must be paid by the Montana board of veterans’ affairs.”

4. Page 4, line 3.

Strike: “17-5-402”

Insert: “17-5-802”

5. Page 4, line 19.

Strike: “sinking fund”

Insert: “debt service”

6. Page 6, line 8.

Following: “Montana”

Insert: “no later than June 15, 1990”

7. Page 6, lines 9 through 19.

Strike: section 10 in its entirety

Renumber: subsequent sections

8. Page 10, line 13.

Strike: "18"

Insert: "17"

9. Page 10.

Following: line 15

Insert: "NEW SECTION. Section 20. Coordination instruction. If House Bill No. 202 is passed and approved, [sections 5 through 7 of this act] are void."

And, as amended, do pass. Report adopted.

HB 555, introduced bill, be amended as follows:

1. Page 1, line 5.

Strike: "LODGE POLE"

Insert: "LODGEPOLE"

2. Page 1, line 11.

Strike: "Lodge Pole"

Insert: "Lodgepole"

3. Page 1, line 9.

Following: "1989;"

Insert: "TO PROVIDE FOR THE REPAYMENT OF THE APPROPRIATION;"

4. Page 2.

Following: line 9

Insert: "NEW SECTION. Section 2. Repayment of Appropriation.

The Hays-Lodgepole school district must repay the appropriation beginning July 1, 1991. Repayment of the appropriation, plus interest, which shall accrue at the average annual short-term investment pool rate of the preceding fiscal year, must be complete by June 30, 1996. The annual payment shall be withheld from the state equalization aid payment as defined in Title 20, chapter 9, part 3."

Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 609, do pass. Report adopted.

HB 663, do pass. Report adopted.

HB 716, do pass. Report adopted.

HB 718, introduced bill, be amended as follows:

1. Page 2.

Following: line 3

Insert: "NEW SECTION. Section 5. Coordination instruction. If House Bill No. 202 is passed and approved, [section 2 of this act] is void."

Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 739, do pass. Report adopted.

HB 759, do pass. Report adopted.

HB 761, introduced bill, be amended as follows:

1. Page 1, line 10.

Following: "APPROPRIATING"
Strike: "MONEY FROM THE GENERAL FUND"
Insert: "CHECKOFF FUNDS"

2. Page 1, line 11.
Strike: "SEARCH AND RESCUE ACCOUNT"
Insert: "DEPARTMENT OF JUSTICE"

3. Page 2, line 11.
Strike: "50 cents"
Insert: "\$1"

4. Page 2, line 12.
Strike: "50 cents"
Insert: "\$1"

5. Page 2, line 15.
Strike: "50 cents"
Insert: "\$1"

6. Page 3, line 3.
Following: "(3)"
Strike: "A"
Insert: "With written approval of its county sheriff, a"

7. Page 3, line 15.
Following: "from the"
Strike: "general fund"
Insert: "search and rescue state special revenue account"

8. Page 3, lines 16 through 18.
Following: "department of justice"
Strike: "to the credit" through "department" on line 19

And, as amended, do pass. Report adopted.

HB 773, introduced bill, be amended as follows:

1. Title, line 17.
Following: "DATE"
Insert: "AND A TERMINATION DATE"

2. Page 10, line 8.
Following: "appropriated"
Strike: "general fund"
Insert: "fund sources disclosed below"

3. Page 10, line 12.
Following: "\$107,837"
Insert: "General Fund"

4. Page 10, line 12.
Following: "\$106,665"
Insert: "General Fund"

5. Page 10.
Following: line 12
Insert: "21,132 Federal Special 5,112 Federal Special"

6. Page 10.
Following: line 20
Insert: "NEW SECTION. Section 15. Program termination. The provisions of [this act] terminate June 30, 1991."

Renumber: subsequent section

And, as amended, do pass. Report adopted.

SB 95, third reading copy, be amended as follows:

1. Page 2, line 1.

Following: "~~\$35~~"

Strike: "\$30"

Insert: "\$27"

And, as amended, be concurred in. Report adopted.

Adverse Committee Reports

HB 282, do not pass.

HB 400, second reading copy, be amended as follows:

1. Page 2, line 4.

Strike: "two"

2. Page 2, line 11.

Strike: "any equal"

Insert: "the required"

And, as amended, do not pass.

HUMAN SERVICES AND AGING (Hansen, Chairman):

3/18/89

HJR 33, do pass. Report adopted.

HJR 34, do pass. Report adopted.

SB 67, be concurred in. Report adopted.

SB 130, be concurred in. Report adopted.

NATURAL RESOURCES (Raney, Chairman):

3/18/89

HB 143, introduced bill, be amended as follows:

1. Title, line 10.

Following: "82-10-402,"

Insert: "82-11-101,"

2. Page 1.

Following: line 11

Insert:

"STATEMENT OF INTENT

It is the intent of the legislature to create an oil and gas production damage mitigation account to be administered by the board of oil and gas conservation for the purpose of properly plugging and abandoning oil and gas wells when a responsible person cannot be found or when the responsible person does not have sufficient financial resources. The board shall adopt rules to help it define "sufficient financial resources", shall require a responsible person to pay the costs of plugging and abandoning to the extent of his available resources, and shall pursue full cost recovery for funds spent from the account through the procedures provided in [section 9] or other lawful means. The board may adopt rules to administer instituting a lien on the person's personal and real property to cover the cost of plugging and abandoning.

The legislature intends that the board use the account for reclamation related to land, water, or wildlife resources disturbed by abandoned oil and gas wells, injection wells, sumps, and seismographic shot holes.

It is also the intent to remove producing wells completed after June 30, 1989, from drilling bonds and to limit the liability of the bond or its equivalent to the period between issuance of the bond and either proper plugging and abandoning of a dry hole or completion of a producing well. The board shall adopt forms for the producer to indicate that a well has been completed and shall, upon receipt of the information and payment required under [section 7], release and absolve the owner of the well from the bond required under 82-11-123.

It is further the intent of the legislature that the board of oil and gas conservation respond promptly to emergency situations that may arise."

3. Page 2, line 8.

Following: "(ii)"

Insert: "beginning in fiscal year 1992,"

Strike: "\$250,000"

Insert: "\$50,000"

4. Page 5, line 21.

Strike: "which"

Insert: "that"

5. Page 5, line 24.

Strike: "list shall"

Insert: "record must"

6. Page 6, line 3.

Strike: "the preceding"

Following: "subsection"

Insert: "(1)"

7. Page 6, line 4.

Following: "determine"

Insert: "and list"

8. Page 6, lines 12 and 13.

Strike: "under" on line 12 through "subsection" on line 13

Insert: "or when the person does not have sufficient financial resources to pay for complete reclamation"

9. Page 6, lines 17 and 18.

Strike: "established" on line 17 through "available" on line 18

Insert: "in a manner consistent with the requirements for the use of the account provided in [section 6] and [section 9]"

10. Page 9, line 8.

Strike: "as required"

Insert: "for the purposes of using the oil and gas production damage mitigation account established"

11. Page 11, line 7.

Following: "the"

Insert: "owner notifies the"

Strike: "is" through "[section 7]"

12. Page 11, line 9.

Strike: "is" through "provisions"

Insert: "meets the requirements"

13. Page 12, line 6.

Strike: "1989"

Insert: "1991"

14. Page 12, line 8.

Strike: "\$250,000"

Insert: "\$50,000"

15. Page 12, line 13.

Strike: "\$500,000"

Insert: "\$200,000"

16. Page 12, line 15.

Strike: "\$500,000"

Insert: "\$200,000"

17. Page 12, line 17.

Strike: "\$500,000"

Insert: "\$200,000"

Strike: "\$250,000"

Insert: "\$50,000"

18. Page 12.

Following: line 19

Insert: "(3) In addition to the allocation provided in subsection (2), there must be deposited in the oil and gas production damage mitigation account:

(a) all funds received by the board pursuant to 82-11-136; and

(b) all fees received by the board from owners of producing wells pursuant to [section 7]."

Renumber: subsequent subsections

19. Page 12, line 25 through page 13, line 1.

Following: "abandoned"

Strike: "," on line 25 through "quantities," on line 1

20. Page 13, line 2.

Following: "located"

Insert: "or the responsible person does not have sufficient funds to pay the costs. The responsible person shall, however, pay costs to the extent of his available resources and is subsequently liable to fully reimburse the account or is subject to a lien on property as provided in [section 9] for costs expended from the account to properly plug the well and to mitigate any damage caused by the well"

21. Page 13, line 11.

Strike: "application of"

Insert: "receipt of notification by"

Following: "bond"

Insert: "— fee"

22. Page 13, line 12.

Strike: "in"

Insert: "on"

Following: "board"

Insert: ", payment by the owner of \$125,"

Strike: "upon providing"

Following: "proof"

Insert: "from the owner"

23. Page 14, line 5.

Strike: “— priority”

24. Page 14, lines 7 and 8.

Following: “account”

Strike: “,” on line 7 through “[section 6(3)]” on line 8

Insert: “under [section 6(4)]”

25. Page 14, line 9.

Following: “year”

Insert: “,”

26. Page 14, lines 11 and 12.

Following: “person,” on line 11

Strike: “as” on line 11 through “[section 4],” on line 12

27. Page 14, lines 14 and 15.

Following: “person,” on line 14

Strike: “as” on line 14 through “[section 4],” on line 15

Following: “not”

Insert: “fully”

28. Page 14, lines 19 through 21.

Strike: “has” on line 19 through “may” on line 21

Insert: “must”

Following: “to” on line 21

Strike: “the”

Insert: “all”

29. Page 14, line 22.

Following: “the”

Insert: “responsible”

Strike: “as determined under [section 4]”

30. Page 14, lines 23 through 25.

Strike: “has” on line 23 through “[section 4]” on line 25

Insert: “is valid until paid in full or otherwise discharged. The lien must be foreclosed in accordance with applicable laws governing foreclosure of mortgages and liens”

31. Page 14.

Following: line 25

Insert: “Section 10. Section 82-11-101, MCA, is amended to read:

“82-11-101. Definitions. As used in this chapter, unless the context requires otherwise, the following definitions apply:

(1) “Administrator” means the administrator of the division of oil and gas conservation.

(2) “Board” means the board of oil and gas conservation provided for in 2-15-3303.

(3) “Class II injection well” means a well, as defined by the federal environmental protection agency or any successor agency, that injects fluids:

(a) that have been brought to the surface in connection with oil or natural gas production;

(b) for purposes of enhancing the ultimate recovery of oil or natural gas; or

(c) for purposes of storing liquid hydrocarbons.

(4) "Department" means the department of natural resources and conservation provided for in Title 2, chapter 15, part 33.

(5) "Determinations" means those decisions delegated to the state by or under authority of the Natural Gas Policy Act of 1978 or any successor or similar legislation relating to oil and gas.

(6) "Enhanced recovery" means the increased recovery from a pool achieved by artificial means or by the application of energy extrinsic to the pool; such artificial means or application includes pressuring, cycling, pressure maintenance, or injection into the pool of any substance or form of energy as is contemplated in secondary recovery and tertiary programs but does not include the injection in a well of a substance or form of energy for the sole purpose of aiding in the lifting of fluids in the well or stimulating of the reservoir at or near the well by mechanical, chemical, thermal, or explosive means.

(7) "Field" means the general area underlaid by one or more pools.

(8) "Fluid" means any material or substance that flows or moves, whether in a semisolid, liquid, sludge, gas, or any other form or state.

(9) "Gas" means all natural gases and all other fluid hydrocarbons as produced at the wellhead and not defined as oil in subsection (10) of this section.

(10) "Oil" means crude petroleum oil and other hydrocarbons regardless of gravity which are produced at the wellhead in liquid form by ordinary production methods and which are not the result of condensation of gas before or after it leaves the reservoir.

(11) "Owner" means the person who has the right to drill into and produce from a pool and to appropriate the oil or gas he produces therefrom either for himself or others or for himself and others, and the term includes all persons holding such authority by or through him.

(12) "Person" means any natural person, corporation, association, partnership, receiver, trustee, executor, administrator, guardian, fiduciary, or other representative of any kind and includes any agency or instrumentality of the state or any governmental subdivision thereof.

(13) "Pollution" means contamination or other alteration of the physical, chemical, or biological properties of any state waters that exceeds that permitted by state water quality standards or standards adopted by the board, including but not limited to the disposal, discharge, seepage, drainage, infiltration, flow, or injection of any liquid, gaseous, solid, or other substance into any state waters that will or is likely to create a nuisance or render the waters harmful, detrimental, or injurious to public health, recreation, safety, welfare, livestock, wild animals, birds, fish, or other wildlife. A disposal, discharge, seepage, drainage, infiltration, flow, or injection of fluid that is authorized under a rule, permit, or order of the board is not pollution under this chapter.

(14) "Pool" means an underground reservoir containing a common accumulation of oil or gas or both; each zone of a structure which is completely separated from any other zone in the same structure is a pool, as that term is used in this chapter.

(15) "Producer" means the owner of a well or wells capable of producing oil or gas or both.

(16) "Responsible person" means a person who is determined by the board under 82-10-402 to have abandoned an oil or gas well, injection well, sump, or seismographic shot hole and who is:

(a) a corporation, association, partnership, or other business organization with assets in excess of \$250,000; or

(b) if the business organization does not have assets in excess of \$250,000, a natural person with primary ownership in the business organization.

~~(16)~~(17) "State waters" means any body of water, either surface or underground.

~~(17)~~(18) "Waste" means:

(a) physical waste, as that term is generally understood in the oil and gas industry;

(b) the inefficient, excessive, or improper use of or the unnecessary dissipation of reservoir energy;

(c) the location, spacing, drilling, equipping, operating, or producing of any oil or gas well or wells in a manner which causes or tends to cause reduction in the quantity of oil or gas ultimately recoverable from a pool under prudent and proper operations or which causes or tends to cause unnecessary or excessive surface loss or destruction of oil or gas; and

(d) the inefficient storing of oil or gas. (The production of oil or gas from any pool or by any well to the full extent that the well or pool can be produced in accordance with methods designed to result in maximum ultimate recovery, as determined by the board, is not waste within the meaning of this definition.)"

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 552, introduced bill, be amended as follows:

1. Title, line 11.

Following: "ACCOUNT"

Insert: "TO APPROPRIATE \$50,000 FROM THE ACCOUNT TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES"

2. Page 16, line 15.

Following: "(1)"

Insert: "(a)"

3. Page 16, line 18.

Following: "1991"

Strike: " , "

Insert: ". (b) There is appropriated \$50,000 from the account to the department of health and environmental sciences"

4. Page 16, lines 19 and 20.

Strike: "by" on line 19 through "sciences" on line 20

5. Page 17, line 8.

Strike: "[Section 19] is"

Insert: "[Sections 18 and 19] are"

6. Page 17, line 9.

Strike: "18"

Insert: "17"

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (J. Brown, Chairman):
SB 178, be concurred in. Report adopted.

3/15/89

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 787, introduced by Raney, Smith, Brooke, Ream, Ellison, Hayne, Peterson, Cocchiarella, McDonough, Kadas, Hansen, Darko, Moore, O'Keefe, Campbell, Koehnke, Harper, referred to Committee on Taxation

HB 788, introduced by Wallin, D. Brown, Vincent, Quilici, Addy, Bradley, Ream, Kadas, Spring, Cocchiarella, McDonough, Wyatt, Brooke, Squires, Eudaily, referred to Committee on Appropriations

MOTIONS

Representative Simon moved the journal reflect he be shown as abstaining on all votes on SB 196. Motion carried.

Representative Roth moved he be allowed to change his vote on HJR 30, second reading, from no to yes. Motion carried.

Representative Hanson moved HB 709 be taken from second reading on the 64th legislative day and placed on second reading the 66th legislative day. Motion carried.

Representative Wallin moved he be allowed to change his vote on Senate amendments to HB 207, third reading, from yes to no. Motion carried.

Representative Harper moved the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate to confer on House amendments to SB 77. Motion carried.

Speaker Vincent appointed the following members:

Representative Johnson, Chairman
Representative Darko
Representative Guthrie

Representative Harper moved the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate to confer on House amendments to SB 204. Motion carried.

Speaker Vincent appointed the following members:

Representative Stickney, Chairman
Representative D. Brown
Representative Eudaily

Representative Harper moved the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate to confer on House amendments to SB 284. Motion carried.

Speaker Vincent appointed the following members:

Representative Blotkamp, Chairman
Representative DeMars
Representative Wallin

Representative Harper moved HB 769 be taken from engrossing and rereferred to the Committee on Appropriations. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Speaker Vincent introduced this week's pages:

Amy Driggs, Eureka
Kevin Eppers, Roundup
Dan Harrington, Butte
Angela Jette, Polson
Lori Layman, Glendive
Margaret Moore, Missoula
Shawn Sylvester, Nashua
Angila Wendel, Stevensville
Hal Knauth, Butte

Representative Harper moved the House adjourn until 2:30 p.m., Monday, March 20, 1989.

Motion carried.

House adjourned at 3:25 p.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

SIXTY-FOURTH LEGISLATIVE DAY

Helena, Montana
March 20, 1989

House Chambers
State Capitol

House convened at 2:35 p.m., Mr. Speaker in the Chair. Invocation by Representative Brooke. Pledge of Allegiance to the Flag.

Roll call. All members present except Compton and Ramirez, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

3/20/89

Correctly printed: HB 143, HB 277, HB 329, HB 510, HB 535, HB 547, HB 552, HB 555, HB 609, HB 663, HB 716, HB 718, HB 739, HB 759, HB 761, HB 773, HJR 33, HJR 34.

Correctly engrossed: HB 370, HB 462, HB 469, HB 614, HJR 30, SB 94, SB 105, SB 106, SB 107, SB 108, SB 196, SB 427, SB 437, SB 450.

Delivered to the Governor for his approval at 11:50 a.m., 3/20/89: HB 118, HB 172, HB 206, HB 248, HB 249, HB 312, HB 345, HB 377, HB 385, HB 453, HB 482, HB 521, HB 683.

APPROPRIATIONS (Bardanoue, Chairman):

3/20/89

HB 100, introduced bill, be amended as follows:

(Refer to Introduced Bill)

Strike everything after the enacting clause and insert:

Section 1. Title. This act may be cited as "The General Appropriations Act of 1989".

Section 2. Definitions. For the purposes of this act, unless otherwise stated, the following definitions apply:

(1) "Agency" means each state office, department, division, board, commission, council, committee, institution, university unit, or other entity or instrumentality of the executive branch, office of the judicial branch, or office of the legislative branch of state government.

(2) "Approving authority" means the governor or his designated representative for executive branch agencies; the chief justice of the supreme court for judicial branch agencies; appropriate legislative committees for legislative branch agencies; or the board of regents or its designated representative for the university system.

(3) "University system unit" means the office of the commissioner of higher education, university of Montana at Missoula, Montana state university at Bozeman, Montana college of mineral science and technology at Butte, eastern Montana college at Billings, northern Montana college at Havre, western Montana college of the university of Montana at Dillon, the agricultural experiment station with central offices at Bozeman, the cooperative extension service with central offices at Bozeman, the forestry and conservation experiment station with central offices at Missoula, the bureau of mines and geology with central offices at Butte, the vocational-technical centers at Billings, Butte, Great Falls, Helena, and Missoula, or the fire services training school at Great Falls.

Section 3. Other funds to offset general fund. The approving authority shall decrease the general fund appropriation of the agency by the amount

of funds received from other sources in excess of the appropriation provided in this act unless such action is expressly contrary to state or federal law, rule, or contract or unless the approving authority certifies that the services to be funded by the additional funds are significantly different from those for which the agency has received a general fund appropriation. If the general fund appropriation of an agency is decreased pursuant to this section, the appropriation for the fund in which excess funds are received is increased in the same amount as the general fund is decreased.

Section 4. Expenditure limit. Expenditures may not exceed appropriations.

Section 5. Budget requests. (1) Sufficient funds are appropriated in this act to enable each agency to submit its 1993 biennial budget request to the budget director and the legislative fiscal analyst pursuant to the time schedule established in 17-7-112(1). If any agency fails to submit its final, complete budget proposal by the deadlines established in 17-7-112(1), the expenditure authority granted in this act must be reduced or rescinded by the budget director unless the agency director certifies that an emergency situation has precluded a timely budget presentation and the budget director approves an extension of the deadlines, not to exceed 30 days.

(2) Employees added through the appropriation of federal or state special revenues or proprietary funds in this act may not be included in the current level budget presented to the 1991 legislature if their continued employment requires general fund support.

Section 6. Detailed budget information. Within 2 days after submission of the preliminary executive budget to the legislative fiscal analyst, the budget director shall give the legislative fiscal analyst the preliminary expenditure recommendations by object of expenditure to the second level of detail and by funding source detailed by accounting entity. Within 1 day after the legislative finance committee presents the budget analysis to the 52nd legislature, the budget director and the legislative fiscal analyst shall mutually exchange expenditure recommendations by object of expenditure to the second level of detail and by funding sources detailed by accounting entity. This final information must be filed in the respective offices and available to members of the legislature and the general public.

Section 7. Operating budget. (1) Expenditures by a state agency must be made in substantial compliance with an operating budget approved by an approving authority as defined in 17-7-401. Substantial compliance means that no category in the approved operating budget may be exceeded by more than 5%, provided that no funds appropriated for personal services or indicated in legislative intent as having been appropriated for personal services may be expended under any other category. The expenditure of money appropriated by this act is contingent upon approval of the operating budget by August 1 of each fiscal year. An approved original operating budget must comply with legislative intent as expressed in state law and legislative statements of intent. The personal services category as specified in subsection (2) may in no approved operating budget include an amount less than the amount included in the personal services detail included in the narrative that accompanies this act plus money appropriated to fund the state employee pay plan. Legislative intent for the general appropriations act includes the narrative that accompanies this act.

(2) The operating budget for money appropriated by this act must be separate from the operating budget for money appropriated by any other act except any act appropriating money specifically to fund the state pay

plan or any portion thereof. Each operating budget must include expenditures for each agency program, detailed at least by the categories of personal services, operating expenses, equipment, benefits and claims, grants, transfers, and local assistance. In no case may the personal services category detail include an amount less than the amount indicated in the personal services detail included in the narrative that accompanies this act plus money appropriated to fund the state employee pay plan. Each agency shall record its operating budgets and any approved changes on the statewide budget and accounting system. Forms used for changing an operating budget must reference the current fully completed and approved operating budget, show the proposed changes to the operating budget, and reference any other pending documents to change the operating budget.

Section 8. Program transfers. Unless prohibited by this act or by statute, the approving authority may approve agency requests to transfer appropriations between programs within each fund type within each fiscal year. The transfer amount may not exceed 5% of the total agency appropriation. The transfer may not include money appropriated for personal services. All program transfers must be completed within the same fund from where the transfer originated. A request for a transfer accompanied by a justification explaining the reason for the transfer must be submitted by the requesting agency to the approving authority and the legislative fiscal analyst. Upon approval of the transfer, the approving authority shall inform the fiscal analyst of the approved transfer and the justification for the transfer.

Section 9. Reduction of appropriation. In the event of a shortfall in revenue, the governor may reduce any or all appropriations. No appropriation may be reduced by more than 15%. The following appropriations may not be reduced:

- (1) payment of interest and retirement of state debt;
- (2) the legislative branch;
- (3) the judicial branch;
- (4) school foundation program, including special education; or
- (5) salaries of elected officials during their terms of office.

Section 10. Access to records of contracting entities. (1) Unless a contract made with a nonstate entity complies with subsection (2), no money appropriated by this act may be expended for such contract. Such contract to provide a service to members of the public on behalf of the state may be either written or oral.

(2) A contract described in subsection (1) must contain a provision to allow access, for legislative audit and fiscal analysis, to the records of the contracting nonstate entity sufficient to determine whether the parties to the contract have complied with the terms of the contract. Such an audit and fiscal analysis require access to records necessary to carry out the legislative audit and analysis functions set out in Title 5, chapters 12 and 13.

(3) The state may unilaterally terminate any contract upon refusal by the contracting nonstate entity to allow access to its records necessary to carry out such a legislative audit or analysis.

Section 11. Severability. If any section, subsection, sentence, clause, or phrase of this act is for any reason held unconstitutional, such decision does not affect the validity of the remaining portions of this act.

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Section 12. Audit costs. Amounts appropriated for audits may be transferred between fiscal years. Agencies shall reserve enough cash in each fund to pay for audit costs and shall to the maximum extent allowable under federal regulations charge audit costs to federal funds.

Section 13. Totals not appropriations. The totals shown in this act are for informational purposes only and are not appropriations.

Section 14. Appropriations. The following money is appropriated for the respective fiscal years:

A. GENERAL GOVERNMENT AND HIGHWAYS									
Fiscal 1990					Fiscal 1991				
State		Federal			State		Federal		
General	Special	Special			General	Special	Special		
Fund	Revenue	Revenue	Proprietary	Total	Fund	Revenue	Revenue	Proprietary	Total
LEGISLATIVE AUDITOR									
1. Operations									
	1,031,677	1,035,008		2,066,685	1,009,581	1,051,636			2,061,217
2. Lottery Consulting Services									
	16,000			16,000					
Total									
	1,031,677	1,051,008		2,082,685	1,009,581	1,051,636			2,061,217
Item 2 is contingent upon the state lottery implementing an automated lotto-type game.									
Item 2 is a biennial appropriation.									
LEGISLATIVE FISCAL ANALYST									
1. Operations									
	753,169			753,169	831,482				831,482
2. Consultants									
	20,000			20,000					
3. Intern Analyst									
	12,675			12,675					
4. Committee Meeting Days									
	13,600			13,600					
5. Data Processing									
	15,000			15,000					
Total									
	814,444			814,444	831,482				831,482
Items 2 through 5 are biennial appropriations.									
LEGISLATIVE COUNCIL									
1. Operations									
	1,732,382			1,732,382	2,103,582				2,103,582
2. Reimbursable Activities									
	687,035			687,035					
3. NCSL Dues and Travel									
	119,701			119,701					
4. CSG Dues and Travel									
	109,509			109,509					
5. Districting and Apportionment Committee									
	6,287			6,287					
6. Interim Studies									
	45,600			45,600					
7. Statewide Issues									
	10,000			10,000					
8. Revenue Oversight Committee									
	30,000			30,000					
9. Administrative Code Committee									
	14,000			14,000					
10. Five-State Biennial Conference									
	16,498			16,498					
11. Forestry Task Force									
	8,000			8,000					
12. Coal Tax Subcommittee									
	12,000			12,000					
13. Montana-Western Canadian Provinces Boundary Advisory Committee									
	2,000			2,000					
Total									
	2,093,977	699,035		2,793,012	2,103,582				2,103,582

SIXTY-FOURTH LEGISLATIVE DAY
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Fiscal 1990

Fiscal 1991

<u>Fiscal 1990</u>					<u>Fiscal 1991</u>				
General	State	Federal			General	State	Federal		
	Special	Special				Special	Special		
<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>Proprietary</u>	<u>Total</u>	<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>Proprietary</u>	<u>Total</u>
Items 2 through 13 are biennial appropriations.									
CONSUMER COUNSEL									
1. Operations	763,903			763,903		777,471			777,471
2. Contract Services	100,000			100,000		100,000			100,000
Total	863,903			863,903		877,471			877,471
Item 2 is for expert witness fees for unanticipated cases.									
ENVIRONMENTAL QUALITY COUNCIL									
1. EQC Program	244,838			244,838	241,535				241,535
2. Water Policy Committee	26,200			26,200					
Total	244,838	26,200		271,038	241,535				241,535
Item 2 is a biennial appropriation.									
JUDICIARY									
1. Supreme Court Operations									
a. Operations	1,341,157			1,341,157	1,328,874				1,328,874
b. Audit	16,518			16,518					
2. Boards and Commissions	201,727			201,727	205,862				205,862
3. Law Library	690,798			690,798	681,172				681,172
4. District Court Operations	2,229,691			2,229,691	2,237,690				2,237,690
5. Water Courts									
a. Operations	421,654			421,654	412,220				412,220
b. Audit	1,835			1,835					
Total	4,479,891	423,489		4,903,380	4,453,598	412,220			4,865,818
GOVERNOR'S OFFICE									
1. Executive Office Program									
a. Operations	954,732	50,604	20,000	1,025,336	943,420	10,000	20,000		973,420
b. Audit	12,867			12,867					
2. Mansion Maintenance	70,442			70,442	57,495				57,495
3. Air Transportation	93,879			93,879	95,015				95,015
4. Office of Budget and Program Planning									
a. Operations	723,874			723,874	793,892				793,892
b. Audit	17,987			17,987					
5. Pacific Northwest Electric Power and Conservation Planning Council		382,914		382,914			383,822		383,822
6. Lieutenant Governor	204,446			204,446	204,077				204,077
7. Citizens' Advocate Office	66,853			66,853	66,760				66,760
8. Board of Visitors	129,765	40,000		169,765	130,060		40,000		170,060
9. Montana Statehood Centennial Office	558,972			558,972		28,891			28,891
Total	2,274,845	609,576	442,914	3,327,335	2,290,719	38,891	443,822		2,773,432

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Fiscal 1990					Fiscal 1991				
State		Federal			State		Federal		
General	Special	Special			General	Special	Special		
Fund	Revenue	Revenue	Proprietary	Total	Fund	Revenue	Revenue	Proprietary	Total
Item 9 includes a \$150,000 donation from Burlington Northern. The agency shall allocate at least \$75,000 of the donation to the centennial memory project as restricted by the donor. The remaining funds may be spent as determined by the statehood centennial commission.									
SECRETARY OF STATE									
1. Records Management									
a. Operations									
508,764	386,892			895,656	520,828	386,898			907,726
b. Audit									
10,362				10,362					
2. Administrative Code									
a. Operations									
164,352				164,352		160,811			160,811
b. Audit									
2,920				2,920					
Total									
519,126	554,164			1,073,290	520,828	547,709			1,068,537
In the event that a cost-saving in-house data processing system for UCC transactions is not online by July 1, 1989, as scheduled, additional spending authority may be requested through a budget amendment.									
COMMISSIONER OF POLITICAL PRACTICES									
1. Administration									
103,502				103,502	106,614				106,614
2. Audit									
2,214				2,214					
Total									
105,716				105,716	106,614				106,614
The commissioner of political practices is to charge a fee for the Summary of Contributions/Expenditures for Candidates/Committees booklet that is sufficient to recover the costs of printing and distribution of the booklet. Public libraries are exempt from the charge for the books. The proceeds from the sale of the booklet as well as the fees collected for reimbursement of copier charges must be deposited in the general fund.									
STATE AUDITOR									
1. Central Management Division									
a. Operations									
222,232				222,232	221,157				221,157
b. Audit									
2,811				2,811					
2. Audit Division									
a. Operations									
582,691	376,189			958,880	528,169	393,155			921,324
b. Audit									
30,383	24,904			55,287					
c. P/P/P Online Conversion									
204,000				204,000					
d. Warrant System Remodeling									
41,989				41,989	1,000				1,000
e. Warrant System Processing Costs									
82,500				82,500	82,500				82,500
3. Insurance Division									
a. Operations									
878,957				878,957		874,150			874,150
b. Audit									
9,298				9,298					
4. Securities Division									
a. Operations									
272,740				272,740		271,671			271,671
b. Audit									
3,166				3,166					
c. Computer System									
40,000				40,000					
Total									
1,166,606	1,605,254			2,771,860	832,826	1,538,976			2,371,802

Item 4c is a biennial appropriation.

The appropriation in item 4c is for a computer system. The agency shall follow the system design recommendation approved by the information services division of the department of administration.

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Fiscal 1990					Fiscal 1991				
State		Federal			State		Federal		
General	Special	Special			General	Special	Special		
Fund	Revenue	Revenue	Proprietary	Total	Fund	Revenue	Revenue	Proprietary	Total
1. Legal Services									
a. Operations									
905,795				905,795	888,649				888,649
b. Case-Related Travel									
9,500				9,500	9,500				9,500
2. Indian Legal Jurisdiction									
a. Operations									
67,536				67,536	67,573				67,573
b. Legal Fees and Expert Witness									
100,000				100,000					
3. County Prosecutor Services									
137,909				137,909	138,135				138,135
4. Agency Legal Services									
			511,823	511,823				559,432	559,432
5. Driver Services Bureau									
2,144,817	259,782	203,131		2,607,730	2,129,074	259,782	182,424		2,571,280
6. Highway Patrol									
a. Operations									
9,489,818				9,489,818		9,381,360			9,381,360
b. Cadets									
144,291				144,291		87,605			87,605
c. Communications Bureau									
634,242				634,242		650,837			650,837
d. MCSAP									
61,600		371,712		433,312		58,600	353,599		412,199
e. 65 MPH Enforcement									
		142,748		142,748			143,568		143,568
7. Vehicle Registration									
2,170,819				2,170,819		2,143,799			2,143,799
8. Law Enforcement Services Administration									
81,252				81,252	80,947				80,947
9. County Attorney Payroll									
952,316				952,316	952,672				952,672
10. Law Enforcement Academy									
110,000	412,802	90,000		612,802	110,000	423,413			533,413
11. Fire Marshal									
342,959				342,959	329,858				329,858
12. Identification Program									
236,704				236,704	239,231				239,231
13. Criminal Investigators									
240,884	46,314	32,000		319,198	229,069	35,971	32,000		297,040
14. Special Investigation — East									
		305,065		305,065			305,278		305,278
15. Special Investigation — West									
115,015		345,043		460,058		116,424	349,272		465,696
16. Central Services									
a. Operations									
93,487	251,620		7,667	352,774	92,059	251,936		7,768	351,763
b. Audit									
7,483	20,142		613	28,238					
17. Data Processing Program									
938,846				938,846		936,843			936,843
18. Extradition and Transfer of Prisoners									
146,869				146,869	146,875				146,875
19. Forensic Science Division									
913,324		60,000		973,324		862,049	48,000		910,049
Total									
5,577,511	15,458,615	1,549,699	520,103	23,105,928	5,413,642	15,208,619	1,414,141	567,200	22,603,602

Items 2b and 16b are biennial appropriations.

Item 6c is to operate the regional dispatch centers. The department of justice shall implement a cost allocation plan for the purpose of recovering the operational cost of regional dispatch centers from all user agencies on an equitable basis. It is intended that after fiscal 1989 the highways state special revenue account should be reimbursed for services provided to user agencies that are not funded by the highways state special revenue account. Revenues collected as reimbursement from user agencies for operational costs of the regional dispatch centers must be deposited in the highways state special revenue account and must equal at least 5% of the total amount of item 6c.

The work of the workers' compensation fraud investigator position must include investigations of both employee and employer fraud cases.

HIGHWAY TRAFFIC SAFETY

1. Operations									
200,000	70,750	1,103,557		1,374,307	200,000	72,000	1,103,355		1,375,355

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Fiscal 1990					Fiscal 1991				
General	State Special	Federal Special			General	State Special	Federal Special		
<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>Proprietary</u>	<u>Total</u>	<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>Proprietary</u>	<u>Total</u>
2. Audit	1,250	1,250		2,500					
Total	200,000	72,000	1,104,807	1,376,807	200,000	72,000	1,103,355		1,375,355
BOARD OF CRIME CONTROL									
1. Operations									
380,742	57,374	142,500		580,616	380,592	55,905	142,500		578,997
2. Audit									
9,522				9,522					
3. Juvenile Justice Pass-Through Grants									
		242,500		242,500			242,500		242,500
4. Bureau of Justice Assistance Pass-Through Grants									
		396,000		396,000			396,000		396,000
5. Victims' Assistance Pass-Through Grants									
		224,000		224,000			224,000		224,000
6. Drug Enforcement/Education Pass-Through Grants									
		1,667,000		1,667,000			1,667,000		1,667,000
7. Crime Victims' Compensation									
		257,000		375,000		375,000			375,000
8. Tuition/Assistance Fees		118,000							
45,000				45,000	45,000				45,000
Total	435,264	314,374	2,790,000	3,539,638	425,592	430,905	2,672,000		3,528,497

Items 2 through 6 are biennial appropriations.

All remaining appropriation authority for the 1989 biennium federal pass-through grant authority is authorized to continue into fiscal 1990 and fiscal 1991.

The board of crime control shall charge tuition and fees sufficient to reimburse the general fund for costs associated with the juvenile justice training program and for technical assistance provided to local law enforcement agencies as appropriated in item 8. The tuition and fees collected are to be deposited in the general fund.

DEPARTMENT OF REVENUE

1.	Director's Office									
	a. Operations									
	304,459	84,235			388,694	307,942	84,243			392,185
	b. Audit									
	80,940			26,979	107,919					
	c. Legal Bureau									
	230,418			51,786	282,204	230,552			51,787	282,339
2.	Centralized Services									
	835,793	6,570			842,363	831,470		6,571		838,041
3.	Data Processing Division									
	1,029,022			440,900	1,469,922	1,035,436			440,912	1,476,348
4.	Investigations and Enforcement Division									
	a. Administration									
	21,964	12,154	34,763	8,356	77,237	22,608	12,176	34,203	8,370	77,357
	b. Investigations Program									
	32,857	243,141	133,284	262,855	672,137	32,692	241,921	132,692	261,536	668,841
	c. Child Support Enforcement									
	540,366		1,083,947		1,624,313	533,660		1,070,928		1,604,588
5.	Income and Miscellaneous Tax Division									
	3,168,446	151,291			3,319,737	3,125,142	150,964			3,276,106
6.	Natural Resources and Corporation Tax Division									
	1,174,372	60,992	143,252		1,378,616	1,177,682	60,999	143,271		1,381,952
7.	Property Assessment Division									
	a. Elected Assessors									
	1,503,742				1,503,742	1,504,868				1,504,868
	b. Appraisers and Nonelected Assessors									
	7,535,127				7,535,127	7,535,631				7,535,631
	c. Property Assessment — Administration									
	531,043				531,043	531,197				531,197
	d. Property Assessment — Helena									
	1,120,189				1,120,189	1,032,065				1,032,065
8.	Motor Fuels Tax Division									
	658,582				658,582		646,407			646,407
<hr/>										
Total										
	18,108,738	1,210,395	1,401,816	790,876	21,511,825	17,900,945	1,196,710	1,387,665	762,605	21,247,925

Fiscal 1990					Fiscal 1991				
State		Federal			State		Federal		
General	Special	Special			General	Special	Special		
<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>Proprietary</u>	<u>Total</u>	<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>Proprietary</u>	<u>Total</u>

Liquor division proprietary funds necessary to maintain adequate inventories of liquor and wine and to operate the state liquor operation are appropriated. During the 1991 biennium, the division shall attempt to return at least 10% of net sales. Net sales are gross sales less discounts and all taxes collected. The division shall limit operational expenses of the liquor merchandising system to not more than 15% of net sales. Operational expenses may not include product costs, freight charges, expenses allocable to other divisions, or licensing bureau expenses.

The department of revenue shall provide its proposed reappraisal plan for the fourth reappraisal cycle, scheduled to commence January 1, 1993, to the 52nd legislature. In addition to the content requirements listed in 15-7-111, the proposed plan must, at a minimum, include:

- (1) any changes proposed by the department to the property revaluation process described in Title 15, chapter 7;
- (2) a list of all tasks necessary to accomplish reappraisal;
- (3) the estimated time necessary for each task;
- (4) the estimated resources for each year of the reappraisal cycle necessary to complete reappraisal on a timely basis and all supporting assumptions and documentation used to develop the cost estimate.

The 1993 biennium budget request submitted by the department of revenue, property assessment division, must clearly identify, by year, the costs necessary to complete the third reappraisal cycle and the costs necessary to implement the fourth reappraisal cycle.

DEPARTMENT OF ADMINISTRATION

1. Director's Office									
259,953		60,000	319,953	261,619			59,864	321,483	
2. Architecture and Engineering Division									
a. Operations	565,743	566,926	1,132,669		571,124		571,125	1,142,249	
b. Audit	1,183		1,183						
3. Procurement and Printing Division									
a. Publications and Graphics Bureau — Purchasing and Print Coordinator									
i. Operations		75,372	75,372				75,898	75,898	
ii. Private Vendor Pass Through		3,284,376	3,284,376				3,754,862	3,754,862	
b. Publications and Graphics Bureau — Operations		1,073,654	1,073,654				1,244,955	1,244,955	
c. Publications and Graphics Bureau — Administration									
i. Operations		466,360	466,360				482,267	482,267	
ii. Photocopy Pool Pass Through		315,000	315,000				315,000	315,000	
iii. Audit		9,692	9,692						
d. Property and Supply Bureau									
i. Operations		3,177,169	3,177,169				3,483,346	3,483,346	
ii. Audit		6,380	6,380						
e. Purchasing Bureau									
435,519			435,519	413,764				413,764	
4. Information Services Division									
a. Resource Management Administration Program									
i. Operations		309,367	309,367				308,986	308,986	
ii. Audit		33,535	33,535						
b. Central Computer Operations Program		5,548,691	5,548,691				5,635,806	5,635,806	
c. Information Center Program		523,597	523,597				524,470	524,470	
d. Systems Development Program									
i. Operations		872,242	872,242				833,862	833,862	
ii. Contract Programming		200,000	200,000						
e. Telecommunications									
i. Operations		7,990,881	7,990,881				8,222,521	8,222,521	
ii. Audit		17,484	17,484						
f. 911 Emergency Service		74,900	74,900				74,900	74,900	

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<u>Fiscal 1990</u>					<u>Fiscal 1991</u>				
State		Federal			State		Federal		
General	Special	Special			General	Special	Special		
<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>Proprietary</u>	<u>Total</u>	<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>Proprietary</u>	<u>Total</u>
5. General Services Division									
a. Operations									
379,244			3,321,658	3,700,902	381,567			3,347,328	3,728,895
b. Audit			6,309	6,309					
6. Mail and Management Program									
a. Operations			1,330,689	1,330,689				1,376,529	1,376,529
b. Audit			2,484	2,484					
7. Treasury Central Services Division									
a. Operations									
1,022,439			30,748	1,053,187	1,015,158			30,886	1,046,044
b. Audit									
32,309				32,309					
8. Personnel Division									
a. Personnel Program									
867,647				867,647	869,735				869,735
b. Group Benefits Program									
i. Operations									
27,225			307,640	334,865	31,284			276,385	307,669
ii. Audit			568	568					
c. Training Program									
i. Operations			181,246	181,246				181,946	181,946
ii. Audit			364	364					
9. Tort Claims Division									
a. Operations			3,050,950	3,050,950				3,034,518	3,034,518
b. Audit			9,416	9,416					
10. Workers' Compensation Court									
a. Operations									
305,487				305,487		302,936			302,936
b. Audit									
647				647					
11. State Tax Appeal Board									
a. State Board Operations									
210,883				210,883	209,465				209,465
b. County Board Operations									
207,977				207,977	208,751				208,751
12. Public Employees' Retirement Division									
a. Operations			835,161	835,161				739,168	739,168
b. Audit			32,791	32,791					
13. Teachers' Retirement System									
a. Operations			447,095	447,095				433,275	433,275
b. Audit			17,987	17,987					
Total									
3,443,196	873,060		34,180,732	38,496,988	3,391,343	874,060		35,007,897	39,273,300

SIXTY-FOURTH LEGISLATIVE DAY
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Fiscal 1990					Fiscal 1991				
State		Federal			State		Federal		
General	Special	Special			General	Special	Special		
<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>Proprietary</u>	<u>Total</u>	<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>Proprietary</u>	<u>Total</u>

The appropriation in item 2a in the proprietary column is appropriated from the capital projects fund.

Item 4dii is a biennial appropriation for contract programming.

Item 4b includes 2.0 FTE data entry operators, grade 7, step 5, that are used to input data on the P/P/P system. These FTE may not be included in the 1993 biennium current level budget submitted by the department of administration.

The appropriation in item 5a in the proprietary column includes \$58,801 in fiscal 1990 and \$58,801 in fiscal 1991 from the capital projects fund.

In item 5, the department may charge a maximum of \$3.17 per square foot in fiscal 1990 and \$3.19 per square foot in fiscal 1991. At the end of fiscal 1991, the maximum working capital the department may carry over is \$320,000.

In item 6, the department may charge a maximum overhead rate of 7% in fiscal 1990 and 6% in fiscal 1991.

The amounts listed in items 12 and 13 are appropriated from the pension trust fund.

The department may expend available self-insurance reserves and revenues to pay any deficit that may be incurred for property or liability insurance premiums due and payable through June 30, 1991.

Funds remaining in the capitol land grant account of the capital projects fund, after the appropriation has been met for the general services division of the department of administration, are appropriated to the long-range building debt service fund for the payment of principal and interest on bonds issued for public buildings at the capitol for executive, legislative, and judicial purposes, as outlined in section 12 of The Enabling Act. This appropriation is for the biennium ending June 30, 1991, and is not to exceed the annual debt service required on these bonds.

The department of administration shall develop a cost recovery plan for proprietary operations. It is the intent of the legislature that the cost of each service provided should be fully recovered through the rate charged for each service. The plans must be submitted with the department's 1993 biennium budget request and must, at a minimum, include the following information:

- (1) identification of the goods or services, or both, that are provided by the program, how the service level is measured, and the anticipated service level for the 1993 biennium;
- (2) the proposed rates by service for each year of the 1993 biennium;
- (3) a description and explanation of how rates are established, including identification of all relevant costs, service levels, personnel efficiency ratios, and all other assumptions used in rate development.

The following operations shall develop a cost recovery plan as described above:

- (1) publications and graphics;
- (2) property and supply;
- (3) information services division;
- (4) central mail.

DEPARTMENT OF HIGHWAYS

1. General Operations									
a. Operations									
	6,219,196	1,936,000		8,155,196		6,170,406	1,895,467		8,065,873
b. Audit									
	69,250			69,250					
2. Construction	64,022,021	103,729,301		167,751,322		55,649,084	82,842,105		138,491,189
3. Maintenance	44,431,441			44,431,441		44,991,651			44,991,651
4. Preconstruction	5,192,462	9,559,047		14,751,509		6,112,716	11,398,075		17,510,791
5. Motor Pool			1,038,063	1,038,063				1,018,462	1,018,462
6. Equipment			12,867,421	12,867,421				12,901,891	12,901,891
7. Interfund Transfers	27,962,094		163,653	28,125,747		25,655,637			25,655,637
8. Stores Inventory	12,651,128			12,651,128		12,744,300			12,744,300
9. Gross Vehicle Weight Division	3,585,815			3,585,815		3,607,210			3,607,210
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Total	164,133,407	115,224,348	14,069,137	293,426,892		154,931,004	96,135,647	13,920,353	264,987,004

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Fiscal 1990					Fiscal 1991				
State		Federal			State		Federal		
General	Special	Special			General	Special	Special		
Fund	Revenue	Revenue	Proprietary	Total	Fund	Revenue	Revenue	Proprietary	Total

The department is directed to submit to the 1991 legislature a construction work plan for the 1993 biennium that is detailed by year and project. This work plan must specify, by road system or project area, proposed projects on which \$1 million or more would be spent during the 1993 biennium and an aggregate cost for projects with anticipated expenditures of less than \$1 million. Costs must be detailed by year and project.

The department may adjust appropriations and FTE in the construction, preconstruction, interfund transfers, and maintenance programs between fiscal years and funding sources to reflect actual expenditures related to the construction work plan and maintenance activities.

Item 3 includes an appropriation of \$473,272 in each fiscal year for damage repairs from insurance proceeds. In the event the insurance proceeds received exceed the amounts appropriated to the department of highways for fiscal 1990 and fiscal 1991, the additional funds are appropriated.

Item 4 includes \$2,395,500 in fiscal 1990 and \$2,442,500 in fiscal 1991 for consultant and professional services. Item 4 also includes \$4,451,390 in fiscal 1990 and \$7,105,100 in fiscal 1991 for right-of-way purchases. The above amounts may be expended for the prescribed purposes only and may not be transferred to any other program. The funds in item 4 for consultant and professional services and for right-of-way purchases that are not expended for the prescribed purposes must revert.

DEPARTMENT OF MILITARY AFFAIRS

1. Administration Program									
a. Operations									
200,613				200,613	203,028				203,028
b. Audit									
5,188				5,188					
2. Army National Guard									
936,674		819,202		1,755,876	947,641		829,630		1,777,271
3. Air National Guard									
127,862		1,347,644		1,475,506	131,029		1,358,806		1,489,835
4. Disaster Coordination									
a. Operations									
222,128		239,491		461,619	219,783		237,147		456,930
b. Audit									
3,755		3,755		7,510					
c. Hazardous Materials Training									
12,000		48,000		60,000		12,000	48,000		60,000
5. Emergency Management									
a. Operations									
258,756				258,756			259,051		259,051
b. Audit									
2,868				2,868					
6. Local Civil Defense Reimbursement									
2,000,000				2,000,000			2,000,000		2,000,000
7. Veterans' Affairs									
a. Operations									
449,877		45,916		495,793	448,598		43,920		492,518
b. Audit									
5,188				5,188					
Total									
1,951,285	12,000	4,765,632		6,728,917	1,950,079	12,000	4,776,554		6,738,633

Item 2 includes \$186,066 and \$185,640 general fund in fiscal 1990 and fiscal 1991 for personal services. It is the intent of the legislature that the agency's 1993 biennium current level personal services general fund request for this program not exceed \$186,066 in fiscal 1992 and \$185,640 in fiscal 1993.

In item 3, two firefighter FTE may be added if the current contract for firefighters becomes unnecessary.

Funds may be spent from item 4c only if federal funds are received for this purpose.

TOTAL SECTION A

42,447,114	187,906,480	127,279,216	49,560,848	407,193,658	41,672,366	177,192,201	107,933,184	50,258,055	377,055,806
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B. HUMAN SERVICES

DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES

1. Director's Division									
213,818	400,000	1,440	237,710	852,968	213,075	400,000	1,440	240,365	854,880
2. Centralized Services Division									
a. Operations									
646,930	985,344	193,050	697,912	2,523,236	625,855	746,076	188,106	683,714	2,243,751
b. Audit									
44,274				44,274					
c. Contingency Fund									
50,000				50,000					

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	2019	2018	2017	2016	2015	2014	2013	2012	2011	2010
1. Employment Services Division										
a. Job Services	85,000	10,978,404		11,063,404		85,000	10,845,229		10,930,229	
b. Unemployment Insurance		3,241,304		3,241,304			3,211,745		3,211,745	
c. Centralized Services			2,601,905	2,601,905				2,641,405	2,641,405	
d. Audit			58,376	58,376						
e. Job Training Partnership Act		10,336,111		10,336,111	194,307		12,335,069		12,529,376	
f. Employment Relations	233,708	1,860,903	3,500	2,098,111		233,950	1,861,990	3,500	2,099,440	
g. Employment Policy		2,653,450		2,653,450			2,783,725		2,783,725	
h. Human Rights	251,284	147,669		398,953	239,374		102,700		342,074	
Total	251,284	318,708	29,217,841	2,663,781	32,451,614	433,681	318,950	31,140,458	2,644,905	34,537,994
2. Workers' Compensation										
a. Administration		2,493,627	24,988		2,518,615		2,272,019	24,988		2,297,007
b. Audit					41,242					
c. State Insurance Fund					4,541,145					
d. Insurance Compliance						4,565,100				4,565,100

Fiscal 1990					Fiscal 1991				
	State	Federal			State	Federal			
General	Special	Special			General	Special	Special		
Fund	Revenue	Revenue	Proprietary	Total	Fund	Revenue	Revenue	Proprietary	Total
e. Safety	541,791	1,267,364		1,809,155	524,346	1,253,491			1,777,837
	873,635	101,357		974,992		843,161	101,645		944,806
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Total	541,791	9,217,013	126,345	9,885,149	524,346	8,933,771	126,633		9,584,739
Three positions (3.0 FTE) in the job service program must be used for supported employment for persons under vocational rehabilitation services.									
DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES									
1. Assistance Payments									
a. Operations									
	1,796,815	6,066,595		7,863,410	1,851,641		6,523,826		8,375,467
b. Benefits									
i. Legal Services									
	100,000			100,000	100,000				100,000
ii. State General Assistance									
	4,765,200			4,765,200	5,124,600				5,124,600
iii. Nonresident General Relief									
	33,000			33,000	33,000				33,000
iv. Aid to Families With Dependent Children									
	9,679,814	26,224,541		35,904,355	10,031,901		27,164,617		37,196,518
v. Welfare Reform									
	251,114	1,745,387		1,996,501	843,269		4,282,703		5,125,972
vi. Other Benefits									
	458,311	13,572,621		14,030,932	366,447		12,993,884		13,360,331
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Total	17,084,254	47,609,144		64,693,398	18,350,858		50,965,030		69,315,888
2. Eligibility Determination									
	2,464,822	6,698,580		9,163,402	2,484,168		6,723,976		9,208,144
3. Administration and Support									
a. Operations									
	971,035	1,937,975		2,909,010	982,608		1,958,544		2,941,152
b. Legislative Audit									
	64,616	66,824		131,440					
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Total	1,035,651	2,004,799		3,040,450	982,608		1,958,544		2,941,152
4. County Administration									
	661,706	439,477		1,101,183	702,130		437,551		1,139,681
5. Medical Assistance									
a. Operations									
	1,113,864	2,040,169		3,154,033	1,108,505		2,033,457		3,141,962
b. Benefits									
i. State Medical									
	4,590,000			4,590,000	4,681,800				4,681,800
ii. Medicaid - Waiver, Elderly									
	834,667	1,963,699		2,798,366	808,103		2,005,663		2,813,766
iii. Medicaid - Waiver, Disabled									
	640,783	1,505,809		2,146,592	619,971		1,538,721		2,158,692
iv. Medicaid - Institutions									
		10,059,650		10,059,650			10,260,843		10,260,843
v. Medicaid - Nursing Homes									
	15,179,404	37,472,015		52,651,419	15,612,302		38,748,081		54,360,383
vi. Medicaid - Primary Care									
	19,024,522	6,907,000		89,946,309	20,441,780	7,030,000	68,182,051		95,653,831
vii. Catastrophic Coverage Act									
	2,259,820	3,015,171		5,274,991	3,990,518		7,652,026		11,642,544
viii. OBRA									
	869,102	2,609,903		3,479,005	830,784		2,457,418		3,288,202
ix. Other Benefits									
	1,055,579	4,602,922		5,658,501	1,093,613		4,884,514		5,978,127
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Total	45,567,741	6,907,000	127,284,125	179,758,866	49,187,376	7,030,000	137,762,774		193,980,150
6. Audit and Program Compliance									
	625,447	766,432		1,391,879	620,987		760,654		1,381,641
7. Vocational Rehabilitation									
a. Operations									
	124,455	390,432	1,971,496	2,486,383	123,979	388,083	1,968,971		2,481,033
b. Benefits									
	768,846	372,708	4,595,106	5,736,660	818,261	333,904	4,741,342		5,893,507
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Total	893,301	763,140	6,566,602	8,223,043	942,240	721,987	6,710,313		8,374,540
8. Disability Determination									
		2,670,435		2,670,435			2,605,243		2,605,243
9. Visual Services									

Fiscal 1990

Fiscal 1991

<u>Fiscal 1990</u>					<u>Fiscal 1991</u>				
State		Federal			State		Federal		
General	Special	Special			General	Special	Special		
<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>Proprietary</u>	<u>Total</u>	<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>Proprietary</u>	<u>Total</u>
a. Operations									
115,816		465,558		581,374	115,849		465,484		581,333
b. Benefits									
154,821		477,897		632,718	155,895		485,309		641,204
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Total									
270,637		943,455		1,214,092	271,744		950,793		1,222,537
10. Developmental Disabilities									
a. Operations									
311,007		929,847		1,240,854	294,688		925,446		1,220,134
b. Benefits									
7,751,258		13,282,585		21,033,843	8,807,478		14,418,873		23,226,351
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Total									
8,062,265		14,212,432		22,274,697	9,102,166		15,344,319		24,446,485
11. DDPAC									
a. Operations									
		105,000		105,000			105,000		105,000
b. Benefits									
		195,001		195,001			195,001		195,001
<hr/>					<hr/>				
Total									
		300,001		300,001			300,001		300,001
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TOTAL SRS									
76,665,824	7,670,140	209,495,482		293,831,446	82,644,277	7,751,987	224,519,198		314,915,462

In each fiscal year, 10% of the low-income energy assistance program block grant must be transferred to the social services block grant. If the transfer is greater than \$862,444 in either fiscal year, a like amount of general fund must revert. Ten percent of the low-income energy assistance program block grant must be used for the weatherization program in each fiscal year. If the department receives refunds from low-income energy assistance grants in excess of \$420,000 in either fiscal year, the excess amount of refunds must be used in the weatherization program.

Except for 5% in fiscal 1990 and 5% in fiscal 1991 that the department may use for administrative expenses, all other funds appropriated for the community services block grant must be allocated to the human resource development councils.

Funds appropriated under item 1bi are for a contract with the Montana legal services corporation to provide legal assistance to all general relief clients seeking eligibility for the federal supplemental security income program and to those current recipients of supplemental security income who have been notified of termination of benefits. The appropriation is intended to reduce the general assistance case load by a minimum of 320 clients by the end of the 1991 biennium.

The department is directed to work with the Montana public and investor-owned utilities and the HRDCs to prepare a long-range, low-income weatherization plan based upon utility funding for presentation to the 52nd legislature. Utility funded weatherization must be cost-effective for the utilities (i.e., the energy saved through the weatherization must be less costly than the value of the electricity or natural gas that would be needed without the weatherization savings).

The department may not consider donated or nondepartmental contracted funds obtained by developmental disabilities providers when allocating or contracting state payments for developmental disabilities services.

Item 3b is a biennial appropriation.

Transfer of funds may be made among items 1bii, 5bi, 5bv, and 5bvi. No funds may be transferred from these items to any other portion of the SRS budget.

Transfer of funds may be made among items 1bv, 5bvii, and 5bviii. No funds may be transferred from these items to any other portion of the SRS budget.

It is the intent of the legislature that a portion of funds appropriated under items 1bv and 5bvii may be used for eligibility determination of additional welfare cases that are directly attributable to changes in federal eligibility criteria. Eligibility determination of the additional cases may include contracting for services in nontraditional settings. The department shall report to the 52nd legislature on the efficiency and cost-effectiveness of such an approach to eligibility determination.

The department may not expend or reduce the amount, scope, or duration of the benefits available to recipients under the medicaid-other program during the 1991 biennium unless Title XIX of the federal Social Security Act is amended to require expansion or reduction of benefits as a condition of the state receiving federal financial participation.

No funds may be transferred out of item 5biv.

If collections of county mill levy funds from state-assumed counties exceed \$6,907,000 in fiscal 1990 and \$7,030,000 in fiscal 1991, excepting mill levy funds received from any county becoming state assumed after fiscal 1989, there must be a general fund reversion of an amount equal to the excess mill levy revenue.

Funds appropriated under item 11b must be expended for direct services in accordance with recommendations of the developmental disabilities planning and advisory council.

The department may request additional federal authority for work training programs through the budget amendment process. The department may contract with the department of labor to administer such programs.

Of the total funds received by the vocational rehabilitation program from the industrial accident and rehabilitation account, \$300,000 per year is to be used to fund counseling and placement costs in the vocational rehabilitation program. No indirect costs may be paid with industrial accident and rehabilitation account funds.

Item 10b includes \$1,245,487 appropriated for fiscal 1990 and \$1,270,398 for fiscal 1991 for direct care salary increases within the developmental disabilities community-based system. These funds will be used to bring salaries toward a target minimum entry level for each job classification. Salaries farthest below the minimum entry level will be addressed first.

The developmental disabilities division shall present to the 52nd legislature the cost of full compliance with the requirements for early intervention services that are contained in Part H of the federal Education of the Handicapped Act, as amended by Public Law 99-457.

Fiscal 1990					Fiscal 1991				
	State	Federal				State	Federal		
General	Special	Special			General	Special	Special		
Fund	Revenue	Revenue	Proprietary	Total	Fund	Revenue	Revenue	Proprietary	Total
DEPARTMENT OF FAMILY SERVICES									
1. Management Support									
a. Operations									
1,425,639		491,949		1,917,588	1,413,169		493,413		1,906,582
b. Legislative Audit									
33,987		21,356		55,343					

Total									
1,459,626		513,305		1,972,931	1,413,169		493,413		1,906,582
2. Community Services									
a. Operations									
6,603,922	9,760	2,895,828		9,509,510	6,633,398	9,761	2,877,461		9,520,620
b. Benefits									
2,496,001	131,434	4,710,246		7,337,681	2,573,950	96,420	4,737,617		7,407,987
c. Foster Care									
6,582,657		3,464,437		10,047,094	7,697,077		3,588,725		11,285,802

Total									
15,682,580	141,194	11,070,511		26,894,285	16,904,425	106,181	11,203,803		28,214,409
3. Mountain View School									
1,816,585	3,213	86,486		1,906,284	1,836,230	3,213	86,501		1,925,944
4. Pine Hills School									
2,988,939	51,221	535,727		3,575,887	3,005,148	51,246	542,173		3,598,567

Total									
21,947,730	195,628	12,206,029		34,349,387	23,158,972	160,640	12,325,890		35,645,502

Item 1b is a biennial appropriation.

The human services joint subcommittee directs the department to develop a plan for the implementation of a continuum of youth services for the state of Montana to be presented to the 52nd legislature.

The plan for implementation should address the following goals and objectives:

- (1) stabilize the rate system for existing child care providers by phasing in a percentage increase of the state's rates with a goal toward adequate funding to ensure continued provision of existing services;
- (2) quantify the number of children served and the number of children unserved or underserved;
- (3) complete the continuum of care necessary to address the needs of children in the custody of the department by developing or enhancing programs in the following areas:
 - (a) prevention of child abuse and neglect and juvenile delinquency;
 - (b) family-based and in-home services for families in crisis;
 - (c) intermediate level services, including specialized or therapeutic foster care and group care;
 - (d) development of services to address the needs of the children in the following categories:
 - (i) juvenile sex offenders;
 - (ii) dually diagnosed (developmentally disabled and emotionally disturbed) children;
 - (iii) juvenile delinquents in need of community juvenile corrections programs;
 - (iv) chronically mentally ill children;
 - (v) severely emotionally disturbed children.

It is recognized that the planning process for the development of the youth services system must be tied to the local level. The establishment of the 10 local youth services advisory councils across the state provides the best mechanism for local participation in the planning process. All planning to address the needs of youth should be undertaken in conjunction with these local councils.

TOTAL SECTION B

102,752,967	21,402,703	278,046,641	3,643,677	405,845,988	110,069,254	20,757,679	295,967,851	3,568,984	430,363,768
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C. NATURAL RESOURCES

PUBLIC SERVICE COMMISSION

1. Operations	1,770,543	25,802	20,000	1,816,345	1,744,864	24,302	20,000	1,789,166
2. Audit								

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Fiscal 1990

Fiscal 1991

	Fiscal 1990					Fiscal 1991				
	General	State Special	Federal Special	Proprietary	Total	General	State Special	Federal Special	Proprietary	Total
	<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>			<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>		
	13,836				13,836					
3. Consultants	100,000				100,000					
Total	1,884,379		25,802	20,000	1,930,181	1,744,864		24,302	20,000	1,789,166

Item 3 is a biennial appropriation.

DEPARTMENT OF LIVESTOCK

1. Central Services										
a. Operations										
	78,316	333,878	16,610		428,804	80,352	342,559	16,621		439,532
b. Audit										
	3,418	14,569			17,987					
2. Diagnostic Laboratory										
	305,493	443,270			748,763	305,791	449,759			755,550
3. Disease Control										
		492,336			492,336		501,343			501,343
4. Milk and Egg Program										
	188,428		30,000		218,428	179,844		30,000		209,844
5. Inspection and Control										
		1,940,205			1,940,205		2,049,681			2,049,681
6. Predatory Animal Control										
		269,200			269,200		271,033			271,033
7. Rabies Control										
	41,912	15,000			56,912	41,930	15,000			56,930
8. Meat Inspection										
	216,786		216,786		433,572	216,787		216,785		433,572
Total	834,353	3,508,458	263,396		4,606,207	824,704	3,629,375	263,406		4,717,485

Item 2 contains \$15,000 for the purchase of a microhematocrit centrifuge in fiscal 1990 and \$21,000 for the purchase of a coulter counter in fiscal 1991. Both of these items are to be excluded from the 1993 biennial budget base.

If there is a brucellosis outbreak, the outbreak is an emergency for budget amendment purposes under 17-7-401 through 17-7-405.

If the department does not have sufficient resources to perform the 10-year brand rerecord as required by 81-3-104, the lack of resources is an emergency for budget amendment purposes under 17-7-401 through 17-7-405.

DEPARTMENT OF AGRICULTURE

1. Centralized Services										
a. Operations										
	181,254	106,462	64,725	31,729	384,170	185,494	108,162	65,055	32,282	390,993
b. Audit										
	23,521				23,521					
2. Environmental Management										
	707,102	176,267	215,213		1,098,582	694,524	167,778	238,460		1,100,762
3. Plant Industry										
	441,603	487,718	10,217	31,254	970,792	429,557	499,867	9,964	31,405	970,793
4. Agriculture Development Division										
	251,688	1,041,914	1,609,063	240,966	3,143,631	247,387	993,608	1,611,374	240,758	3,093,127
Total	1,605,168	1,812,361	1,899,218	303,949	5,620,696	1,556,962	1,769,415	1,924,853	304,445	5,555,675

Included in item 2 is appropriations authority of \$24,542 in fiscal 1990 and \$24,593 in fiscal 1991 for the operations of the rodent advisor committee. The committee may only use revenues earned from the rodenticide tax established under 80-7-1106, gifts, or grants to expend the appropriations authority.

Included in item 3 is \$29,459 in fiscal 1990 and \$27,299 in fiscal 1991 for travel. Of the amounts appropriated for travel, \$4,700 in fiscal 1990 and \$2,400 in fiscal 1991 are increases over the amounts expended in fiscal 1988. If the division expends more than \$24,759 in fiscal 1990 for travel, the amount expended over \$24,759 must be excluded from the budgets presented to the 52nd legislature.

Included in item 3 are 11.0 FTE and \$357,338 in fiscal 1990 and \$362,491 in fiscal 1991 for the operations of the department's grain laboratory. If the workload at the grain laboratory requires additional resources beyond the amounts appropriated, the workload increase is an emergency for budget amendment purposes under 17-7-401 through 17-7-405.

The department shall implement rules to charge and collect fees for agriculture counseling and mediation program financial assistance and mediation activities. To the extent that fee revenues are available, the department shall expend the fee revenues prior to expending the general fund. If there is a fee fund balance at the conclusion of the program, the fund balance must be transferred to the general fund.

Within proprietary funds appropriated to the department are revenues received under the provisions of 80-2-221 for hail insurance and 80-2-103 for rural development. Amounts included are:

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Section 80-2-221, MCA	Item 1a	<u>Fiscal 1990</u>	<u>Fiscal 1991</u>
	Item 4	\$ 24,224	\$ 24,652
Section 80-2-103, MCA	Item 1a	162,954	163,654
	Item 4	7,505	7,630
		78,012	77,104

<u>Fiscal 1990</u>					<u>Fiscal 1991</u>				
State	Federal				State	Federal			
General	Special	Special			General	Special	Special		
<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>Proprietary</u>	<u>Total</u>	<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>Proprietary</u>	<u>Total</u>
DEPARTMENT OF STATE LANDS									
1. Central Management									
a. Operations									
1,320,911	171,500	121,526	182,775	1,796,712	1,324,979	171,500	121,526	182,948	1,800,953
b. Audit									
35,973				35,973					
2. Reclamation									
a. Operations									
229,127	1,103,869	8,730,722		10,063,718	232,383	1,103,447	8,579,675		9,915,505
b. Hard-Rock Reclamation									
100,000				100,000					
c. Bond Forfeitures									
100,000				100,000					
3. Land Administration									
a. Operations									
659,222				659,222	622,826				622,826
b. Weed Control									
20,000				20,000	20,000				20,000
4. Resource Development									
284,488				284,488		282,673			282,673
5. Forestry									
a. Operations									
5,564,208	1,851,284	1,650,453		9,065,945	5,412,359	1,817,983	1,637,033		8,867,375
b. Federal Fire Reimbursement									
	100,000			100,000			100,000		100,000
c. Audits — Timber Sales									
10,000				10,000					
Total									
7,839,441	3,611,141	10,602,701	182,775	22,236,058	7,612,547	3,375,603	10,438,234	182,948	21,609,332

Items 2b, 2c, and 5c are biennial appropriations.

Item 5a contains \$3,878,581 in fiscal 1990 and \$3,766,210 in fiscal 1991 for prefire suppression costs.

Item 1 contains \$11,000 per year for the travel expenses of the oil and gas auditor. In preparing the 1993 biennial budget for legislative consideration, the office of budget and program planning and the legislative fiscal analyst's office may not include the oil and gas auditor's travel expenses in the current level base.

Item 2a contains \$2,000 per year for printing of the hard-rock bureau's administrative rules, \$2,050 per year for inspection supplies, and \$7,500 in fiscal 1990 for printing of the coal and uranium bureau's administrative rules. In preparing the 1993 biennial budget for legislative consideration, the office of budget and program planning and the legislative fiscal analyst's office may not include the expenditures from the above items in the current level base.

Item 5a contains \$15,000 in fiscal 1990 for completion of the fire protection assessment computer system, \$11,838 in fiscal 1990 for one-time computer supplies, and \$14,400 per year for the lease/purchase of a photocopier. In preparing the 1993 biennial budget for legislative consideration, the office of budget and program planning and the legislative fiscal analyst's office may not include these expenditures in the current level base.

Item 5b contains \$100,000 per year of federal fire reimbursement funds that the department may expend on department forestry activities. Federal fire reimbursement funds are those funds received from the federal agencies for expenses incurred from loaning department personnel to federal agencies to assist in fire suppression activities. Only those federal funds received by the state as reimbursement of expenses credited against the department's state forestry operational budget are considered federal fire reimbursement funds. All other federal funds received must be deposited into the general fund. The department shall report federal fire reimbursement expenditures on state accounting records, and the records must be separate from current level operations.

Item 5a contains \$43,007 in fiscal 1990 and \$27,505 in fiscal 1991 for a federally/private funded prescribed burn program. The department is to implement the program only if a federal or private funding source is obtained.

Item 5a contains \$106,301 in fiscal 1990 and \$73,360 in fiscal 1991 for expansion of the slash program. The expansion funds may be expended only if HB 657 is enacted.

The department and each recognized federal fire protection agency shall, in advance of the fire season, prepare annual operation plans concerning fire prevention, training, communications, detection, suppression, and prescribed fire for all areas, including special management areas, that are of concern to both agencies. It is the intent of the legislature that one of the department's purposes in negotiating these plans is to promote clarity among federal and state firefighting units regarding policies for management of fires in special management areas and to thereby prevent unnecessary expenditure of the state general fund.

Item 5c is to coordinate and conduct, in consultation with the environmental quality council, audits of the application and effectiveness of voluntary best management practices for timber sales.

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Fiscal 1990					Fiscal 1991				
State		Federal			State		Federal		
General	Special	Special			General	Special	Special		
<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>Proprietary</u>	<u>Total</u>	<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>Proprietary</u>	<u>Total</u>
DEPARTMENT OF FISH, WILDLIFE, AND PARKS									
1. Centralized Services									
a. Operations	1,777,622	393,440	1,726,789	3,897,851		1,344,885	379,593	1,769,636	3,494,114
b. Audit	47,042			47,042					
c. Legislative Contract Authority		50,000		50,000			50,000		50,000
d. New Helicopter Insurance and Maintenance			76,982	76,982				76,982	76,982
2. Field Services Division	2,465,216	242,125	118,707	2,826,048		2,543,074	239,149	100,423	2,882,646
3. Fisheries									
a. Operations	3,094,012	1,708,141		4,802,153		3,043,164	1,642,294		4,685,458
b. Trucks	18,375	55,125		73,500		23,375	70,125		93,500
c. Legislative Contract Authority		1,000,000		1,000,000			1,000,000		1,000,000
d. Little Missouri River Water Reservations	13,574	40,721		54,295					
e. Yellow Bay Biological Station	25,000			25,000		25,000			25,000
4. Law Enforcement									
a. Operations	3,925,627	182,397		4,108,024		3,985,616	191,507		4,177,123
b. Legislative Contract Authority		7,500		7,500			7,500		7,500
5. Wildlife									
a. Operations	2,613,364	2,265,809		4,879,173		2,658,930	2,305,721		4,964,651
b. Legislative Contract Authority		1,165,000		1,165,000			1,165,000		1,165,000
c. Pheasant Enhancement Program	1,849,000			1,849,000					
6. Parks Program	3,396,490	860,578	361,131	4,618,199		3,497,554	284,836	352,518	4,134,908
7. Conservation Education									
a. Operations	1,177,690	141,527		1,319,217		1,195,570	143,718		1,339,288
b. Shooting Ranges	9,437	140,563		150,000					
8. Administration									
a. Operations	1,418,521	306,004		1,724,525		1,450,269	294,354		1,744,623
b. Saline Seep	150,000			150,000					
c. Legislative Contract Authority		90,000		90,000			90,000		90,000
d. Cherry Creek Dam	50,000	250,000		300,000					
Total	22,030,970	8,898,930	2,283,609	33,213,509		19,767,437	7,863,797	2,299,559	29,930,793

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Items 3d, 5c, 7b, 8b, and 8d are biennial appropriations.

Item 1d may not be expended unless the department purchases a replacement helicopter.

Item 2 contains \$167,831 in fiscal 1990 and \$167,951 in fiscal 1991 for expanding the block management program. \$37,159 in fiscal 1990 and \$37,194 in fiscal 1991 to expand the fishing and motorboat access program, and \$23,676 in fiscal 1990 and \$23,706 in fiscal 1991 for a microcomputer support position. In preparing the 1993 biennial budget for legislative consideration, the office of budget and program planning and the legislative fiscal analyst's office may not include expenditures from the above items in the current level base.

Item 3b contains \$73,500 in fiscal 1990 and \$93,500 in fiscal 1991 to replace two hatchery trucks. In preparing the 1993 biennial budget for legislative consideration, the office of budget and program planning and the legislative fiscal analyst's office may not include the expenditures from the above items in the current level base.

Item 3a contains \$41,000 per year for the department to employ consultants to represent the department in reviews of Natural Streambed and Land Preservation Act projects, irrigation diversions, and U.S. forest service projects. It is the intent of the legislature that the department coordinate the employment of consultants with the local conservation districts and other appropriate parties to the extent possible. In preparing the 1993 biennial budget for legislative consideration, the office of budget and program planning and the legislative fiscal analyst's office may not include the expenditures from this item in the current level base.

If the department receives additional federal funds for the costs of the fisheries division, it may increase its federal appropriation and decrease its state special appropriation by like amounts.

Item 3a contains \$41,960 in fiscal 1990 and \$52,010 in fiscal 1991 for a cooperative program with the U.S. forest service to collect fisheries data on national forest lands: \$21,674 in fiscal 1990 and \$21,694 in fiscal 1991 for experimental stocking of Kokanee on Flathead Lake; and \$35,895 in fiscal 1990 and \$35,965 in fiscal 1991 to expand the department's administration of fishing access sites. In preparing the 1993 biennial budget for legislative consideration, the office of budget and program planning and the legislative fiscal analyst's office may not include the expenditures from the above items in the current level base. The department may only expend the state funds for the cooperative program with the U.S. forest service if the matching federal funds are available.

The department shall report to the 52nd legislature the results of the fish population evaluation and monitoring program expansion.

Item 3e is appropriated for fisheries research as specified by the department through a contracted agreement with the Yellow Bay experiment station.

Item 4a contains \$50,373 per year for employee relocation costs, which is an increase of \$27,000 per year over the amount expended in fiscal 1988. In preparing the 1993 biennial budget for legislative consideration, the maximum amount of expenditures from the relocation expenditure code to be included by the office of budget and program planning and the legislative fiscal analyst's office in the current level bases is \$23,373.

Item 4a contains \$40,000 per year of increased travel funds that the department may use only if it is successful in negotiating a compensatory time proposal with the wardens' union. A compensatory time proposal would allow the department the flexibility of working wardens more than a 40-hour week and compensating the wardens with 1 ½ hours compensatory time for every hour worked over 40 hours, rather than the current policy of having to pay time and a half for hours worked over 40 hours.

Item 5a contains \$363,600 per year for rental of private aircraft, which is an increase of \$90,600 per year over the amount expended in fiscal 1988. In preparing the 1993 biennial budget for legislative consideration, the maximum amount of expenditures from the private aircraft rental expenditure code to be included by the office of budget and program planning and the legislative fiscal analyst's office in the current level bases is \$273,000.

Item 5a contains \$16,391 in fiscal 1990 and \$16,436 in fiscal 1991 for a habitat/timber sales planning program expansion and \$28,090 in fiscal 1990 and \$29,025 in fiscal 1991 for a nongame program expansion. In preparing the 1993 biennial budget for legislative consideration, the office of budget and program planning and the legislative fiscal analyst's office may not include the expenditures from the above items in the current level base.

The department shall present to the 52nd legislature funding alternatives for the continuation of the nongame program that will replace the use of hunting and fishing license funds to support the program.

The department shall report to the 52nd legislature all projects and programs that terminated during the 1991 biennium.

Item 6 contains \$225,881 in fiscal 1990 and \$393,743 in fiscal 1991 for the Montana conservation corps. The expenditure of the appropriations for the corps is contingent upon the enactment of SB 388.

Item 8a contains \$30,000 per year for legal fees and court costs, which is an increase of \$12,300 per year over the amount expended in fiscal 1988. In preparing the 1993 biennial budget for legislative consideration, the maximum amount of expenditures from the legal and court cost expenditure code to be included by the office of budget and program planning and the legislative fiscal analyst's office in the current level bases is \$17,700.

Item 8a contains \$110,000 per year for contracting with the department of livestock for predator control, which is an increase of \$20,000 per year over the amount expended in fiscal 1988. In preparing the 1993 biennial budget for legislative consideration, the maximum amount of expenditures from the grant to the department of livestock expenditure code to be included by the office of budget and program planning and the legislative fiscal analyst's office in the current level bases is \$90,000.

Item 8b contains a \$150,000 biennial appropriation for a saline seep control program. In preparing the 1993 biennial budget for legislative consideration, the office of budget and program planning and the legislative fiscal analyst's office may not include the expenditures from the program in the current level base.

Item 8b must be used by the department to contract with landowners in cooperation with the Montana salinity control association for salinity control programs that provide benefits to fish and wildlife habitats. Salinity control projects that involve privately owned land must be financed on a cost-share basis under guidelines developed by the department. The guidelines must be consistent with the legislation establishing the funding source and complying with federal funding guidelines.

Item 8d contains \$50,000 of hunting and fishing license funds and \$50,000 of federal funds allocated to Montana for fisheries management. The \$50,000 of hunting and fishing license income and the \$50,000 of federal funds may only be expended if \$50,000 of local/private funds and \$150,000 from the federal bureau of land management are made available.

The appropriation for the legislative contract authority in items 1c, 3c, 4b, 5b, and 8c is subject to the following provisions:

- (1) Legislative contract authority applies only to federal and private funds.
- (2) Legislative contract authority expenditures must be reported on state accounting records. The records must be separate from current level operations.
- (3) A report must be submitted by the department to the legislative fiscal analyst following the end of each fiscal year of the biennium. The report must include a listing of projects with the related amount of expenditures for each project.

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Fiscal 1990					Fiscal 1991				
	State	Federal				State	Federal		
General	Special	Special			General	Special	Special		
Fund	Revenue	Revenue	Proprietary	Total	Fund	Revenue	Revenue	Proprietary	Total
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION									
1. Centralized Services									
a. Operations									
1,145,229	396,353	28,000		1,569,582	1,152,725	396,016	19,000		1,567,741
b. Audit									
35,973				35,973					
2. Oil and Gas									
	1,099,376			1,099,376		1,093,070			1,093,070
3. Conservation Districts									
62,893	526,937	42,703		632,533	70,660	517,489	42,703		630,852
4. Reserved Water Rights Compact Commission									
160,794	225,000			385,794	162,264	275,000			437,264
5. Water Resources									
a. Operations									
2,275,752	2,533,986	50,000		4,859,738	2,295,146	2,529,039	50,000		4,874,185
b. State Water Projects									
	775,000			775,000					
c. Missouri River Reservation									
81,428	340,000	42,000		463,428	82,134				82,134
6. Energy Division									
a. Operations									
465,553	1,186,087	1,074,363		2,726,003	472,568	1,184,665	1,072,279		2,729,512
b. Lake Broadview Mitigation									
		40,000		40,000					
c. Rock Creek Mitigation									
		1,650,000		1,650,000					
Total									
4,227,622	7,082,739	2,927,066		14,237,427	4,235,497	5,995,279	1,183,982		11,414,758

Items 5b, 5c, 6b, and 6c are biennial appropriations.

The board of oil and gas conservation is appropriated \$110,000 per year from federal special revenues contingent upon receiving federal funds from the environmental protection agency for the underground injection control program.

The department is authorized up to \$700,000 from the account established in 76-14-112 for rangeland loans during the 1991 biennium.

All funds deposited into the state special revenue account established in 76-15-530 are appropriated to the department for distribution as grants to conservation districts.

Item 5a contains \$5,100 per year to develop a video and to purchase television time on floodplains. The \$5,100 per year may only be expended if the department receives a federal grant for developing the video and purchasing the television time.

There is appropriated \$4 million federal special revenue contingent upon the department receiving a grant or loan from the federal government for Middle Creek Dam.

There is appropriated \$125,000 federal special revenue contingent upon the department receiving a grant from the Montana power company for the purposes of conducting builder training and agricultural workshops.

There is appropriated \$20,000 federal special revenue contingent upon the department receiving a grant from the western area power administration for the purposes of conducting builder training and agricultural workshops.

DEPARTMENT OF COMMERCE

1.	Director's Office Management Services								
a.	Operations								
	94,181	740,059	834,240	93,241			723,226	816,467	
b.	Audit								
		66,412	66,412						
2.	Business Licensing and Regulation - Director								
	91,039	62,142	153,181		91,079		62,004	153,083	
3.	Building Codes								
	34,508	1,199,076	1,233,584	32,740	1,196,597			1,229,337	
4.	Professional and Occupational Licensing								
	1,719,828	727,539	2,447,367		1,712,750		724,338	2,437,088	
5.	Milk Control Bureau								
	275,976		275,976		275,142			275,142	
6.	Weights and Measures Bureau								
	456,083		456,083	456,539				456,539	
7.	Financial Division								
	784,315		784,315		781,874			781,874	
8.	Aeronautics Division								
	639,101	75,000	51,327	765,428	612,214	75,000	51,381	738,595	
9.	Transportation Division								
a.	Operations								
	433,594	71,250	899,975	1,404,819	416,343	71,250	899,975	1,387,568	
b.	McCarty Farms								
	180,000			180,000					
c.	Federal Rail Planning								
		500,000		500,000					
d.	Rail Construction Loan Fund								
		1,054,879		1,054,879					
10.	Business Assistance								

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Fiscal 1990Fiscal 1991

	Fiscal 1990					Fiscal 1991				
	General	State Special	Federal Special			General	State Special	Federal Special		
	<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>Proprietary</u>	<u>Total</u>	<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>Proprietary</u>	<u>Total</u>
11. Montana Promotion	713,188	294,016	335,250		1,342,454	704,343	294,016	330,250		1,328,609
12. Board of Housing		4,339,501	352,095		4,691,596		4,339,424	352,095		4,691,519
13. Local Government Administration				2,228,340	2,228,340				2,127,405	2,127,405
14. Housing Assistance				98,292	98,292				98,340	98,340
15. Local Government Audit Service			12,689,153		12,689,153			12,687,065		12,687,065
16. Local Government Systems	45,024			1,014,302	1,059,326	45,289			1,015,308	1,060,597
a. Administration	86,209			149,628	235,837	86,209			139,523	225,732
b. District Court Reimbursement	2,600,000				2,600,000	2,826,000				2,826,000
c. County Planning	203,270				203,270		183,168			183,168
17. Community Development	207,048	3,593,059	5,090,428		8,890,535	212,262	3,049,426	5,085,548		8,347,236
18. Board of Investments										
a. Operations				1,234,343	1,234,343				1,234,745	1,234,745
b. Audit				48,162	48,162				42,891	42,891
19. Health Facility Authority										
a. Operations				132,963	132,963				133,330	133,330
b. Audit				650	650				4,561	4,561
20. Montana Science and Technology Alliance	460,014				460,014	471,486				471,486
21. Lottery				13,000,000	13,000,000				13,000,000	13,000,000
22. Board of Horseracing		249,730			249,730		249,649			249,649
23. Video Gaming		818,818			818,818		796,335			796,335
24. Indian Affairs Coordinator	91,288				91,288	91,038				91,038
25. Research and Information Services	241,921				241,921	286,929				286,929
Total	5,643,058	14,278,979	20,996,780	19,554,159	60,472,976	5,722,419	13,652,924	19,429,933	19,357,052	58,162,328

There is appropriated to the hard-rock mining board up to \$1,200,000 in each year of the biennium only for the purposes detailed in 90-6-304(1), 90-6-307, 90-6-311, and 90-6-321.

The hard-rock mining board shall report to the legislature any expenditures from the hard-rock mitigation and arbitration account.

If the board of milk control receives a petition to establish a state pooling arrangement as a method of paying producer prices, the department may request a budget amendment for additional operating costs for holding hearings and establishing the pool. Receipt of the petition is an emergency under 17-7-403.

The appropriation in item 9b is for litigation costs for the McCarty Farms case. The department shall seek to recover the general fund expenditures plus interest at a rate of 10% from any settlement in this case.

The board of horseracing may request a budget amendment for the cost of implementing harness racing in Montana. The request is an emergency under 17-7-403.

The board of horseracing may request a budget amendment to implement the mandated federal requirements of regulation on Indian reservations. The request meets the emergency provisions of 17-7-403.

The board of investments may use designated commissions paid on the purchase and sale of securities for products and services customarily provided by brokers for such transactions according to applicable securities industries rules and regulations and Montana statutes. The board shall make a report to the 52nd legislature on the use of the designated commissions.

The video gaming control bureau may request a budget amendment to incur expenses pursuant to agreements with other states to provide gaming machine testing and training services should such requests materialize. The expenses constitute an emergency for budget amendment purposes under 17-7-403.

The video gaming control bureau may request a budget amendment to implement the mandated federal requirements of regulation on Indian reservations. The request meets the emergency provisions of 17-7-403.

If the revenues deposited to the general fund through implementation of 61-3-509 are less than the appropriation for district court reimbursement, the department shall reduce the reimbursement to equal the revenues generated.

There is appropriated to the department the unexpended private funds of \$16,589 for the supercollider effort, to be held in a special fund for the Montana ambassadors program and used for projects that will promote new business or jobs. Any use of the funds will require a majority approval by the Montana ambassadors board of directors.

Item 12 includes \$24,300 in each year in the proprietary fund that is contingent upon passage of SB 115.

Items 9b, 9c, 9d, and 18b are biennial appropriations.

SIXTY-FOURTH LEGISLATIVE DAY
March 20, 1989

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<u>Fiscal 1990</u>					<u>Fiscal 1991</u>				
State		Federal			State		Federal		
General	Special	Special			General	Special	Special		
<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>Proprietary</u>	<u>Total</u>	<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>Proprietary</u>	<u>Total</u>
TOTAL SECTION C									
22,034,021	52,324,648	45,613,893	22,344,492	142,317,054	21,696,993	48,190,033	41,128,507	22,164,004	133,179,537
D. DEPARTMENT OF INSTITUTIONS									
CENTRAL OFFICE									
1. Director's Office									
390,418				390,418	391,609				391,609
2. Management Services Division									
a. Management Services									
831,751				831,751	831,985				831,985
b. Audit									
140,972	4,455	7,637	6,047	159,111					
3. Alcohol and Drug Abuse Division									
215,200	335,524	1,778,989		2,329,713	215,200	321,891	1,810,199		2,347,290
4. Corrections Division									
a. Central Office									
3,942,189	1,000	71,662		4,014,851	3,892,121	1,000			3,893,121
b. Women's Corrections									
1,062,742				1,062,742	1,048,655				1,048,655
c. Corrections Medical									
720,706				720,706	720,499				720,499
d. Montana State Prison									
i. Care and Custody — Operations									
13,160,642	52,008	100,722		13,313,372	13,320,011	51,994	100,777		13,472,782
ii. Ranch and Dairy Operations									
			1,260,550	1,260,550				1,267,519	1,267,519
iii. Ranch and Dairy Equipment									
			533,400	533,400					
iv. Ranch and Dairy Capital Projects									
			33,000	33,000					
v. License Plate Factory Operations									
457,499				457,499		501,920			501,920
vi. License Plate Factory Contingency									
20,018				20,018		30,018			30,018
vii. Industries Operations									
			979,149	979,149				1,112,217	1,112,217
viii. Canteen Operations									
931,869				931,869		1,159,250			1,159,250
ix. Industries Training Operations									
170,110		26,991	246,493	443,594	173,789		26,983	252,513	453,285
e. Swan River Forest Camp									
i. Operations									
847,924	85,002	29,598		962,524	840,437	87,016	29,598		957,051
ii. Insurance									
27,246				27,246	28,372				28,372
5. Mental Health Division									
a. Central Office									
i. Operations									
4,042,659		1,760,758		5,803,417	4,043,395		1,690,714		5,734,109
ii. Community Mental Health Centers									
51,875				51,875	110,036				110,036
b. Montana Developmental Center									
12,490,419	49,000	23,336		12,562,755	12,556,576	49,000	22,385		12,627,961
c. Center for the Aged									
2,951,158	17,035			2,968,193	2,970,077	15,135			2,985,212
d. Eastmont									
2,435,744	700			2,436,444	2,428,164	700			2,428,864
e. Veterans' Home									
i. General Operations									
740,899	20,764	1,689,370		2,451,033	772,359	20,764	1,689,370		2,482,493
ii. Equipment									
11,654				11,654					
f. Montana State Hospital									
20,176,183	1,748,126	2,485		21,926,794	20,547,869	1,748,653	2,565		22,299,087
6. Board of Pardons									
a. Operations									
165,085				165,085	159,030				159,030
b. Out-of-State Travel									
4,838				4,838	4,838				4,838
Total									
64,580,414	3,723,000	5,491,548	3,058,639	76,853,601	65,055,022	3,987,341	5,372,591	2,632,249	77,047,203

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Fiscal 1990Fiscal 1991

State		Federal			State		Federal		
General	Special	Special			General	Special	Special		
<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>Proprietary</u>	<u>Total</u>	<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>Proprietary</u>	<u>Total</u>

Within item 4, transfers may be made between line items in excess of 5% of the total appropriation authority in each line item upon approval of the governor or his designated representative.

Within item 5, transfers may be made between line items in excess of 5% of the total appropriation authority in each line item upon approval of the governor or his designated representative.

Items 2b, 4diii, 4div, and 5eii are biennial appropriations.

The department is authorized to maintain a cash balance of not more than \$16,000 at the end of each fiscal year in the prison industries training proprietary account. Any funds in excess of \$16,000 in the proprietary account are subject to the provisions of section 3.

Item 5aii is contingent upon passage by the 1989 legislature of a general salary increase to all state employees.

Notwithstanding section 7, if the department is unable to recruit and hire professional positions funded in the appropriation and required for patient treatment and/or certification, it may transfer up to 100% of the aggregate personal services cost of each class of vacant position or the cost of the required contract, whichever is the lesser, to operating expenses for the purpose of contracting for services that would have been provided if that position were filled.

The department shall certify to the governor or his designated representative that:

- (1) the department is unable to fill the position(s); and
- (2) the services that would be provided by that position if filled and by the proposed contract are necessary for either federal medicaid certification or the treatment requirements of its correctional institutions.

Within item 4dvii, the department may submit budget amendments to hire 1.0 FTE marketing representative, 2.0 FTE shop supervisors, and 1.0 FTE prison industries procurement coordinator, if funding is available.

Within item 4dix, the department may submit budget amendments to hire a 0.25 FTE horticulturalist and a 1.0 FTE vehicle maintenance shop supervisor, if funding is available.

The department shall report to the 1991 legislature on the status of the sex offender treatment program at Montana state prison. The report must include but not be limited to a comparison between the 1989 and 1991 bienniums of the following:

- (1) the number of sex offenders participating in the program;
- (2) the number completing each of the three phases of the program;
- (3) the number paroled and the percent of the total sex offender population paroled; and
- (4) the average length of stay in Montana state prison of the sex offender population.

MONTANA ARTS COUNCIL

1. Administration								
114,933	61,717	391,655	568,305	121,334	60,064	383,480		564,878
2. Audit								
13,836			13,836					

Total								
128,769	61,717	391,655	582,141	121,334	60,064	383,480		564,878

MONTANA STATE LIBRARY

1. Reference and Information								
585,993	199,000	1,013,114	1,798,107	584,274	168,000	1,016,822		1,769,096
2. Audit								
15,219			15,219					

Total								
601,212	199,000	1,013,114	1,813,326	584,274	168,000	1,016,822		1,769,096

The amounts included in item 1 in the federal special revenue column represent Library Services and Construction Act funds that may be transferred between fiscal 1990 and 1991.

In item 1, the 199,000 and 168,000 figures are coal severance tax funds. In the event the coal severance tax revenues allocated to the state library under 15-35-108(3)(g) exceed the amounts appropriated to the state library for fiscal 1990 and 1991, the additional funds are appropriated.

MONTANA HISTORICAL SOCIETY

1. Administration								
a. Operations								
492,133	47,395	135,887	675,415	494,036	47,403	126,380		667,819
b. Audit								
14,140			14,140					
2. Library Program								

SIXTY-FOURTH LEGISLATIVE DAY
March 20, 1989

1397

Fiscal 1990					Fiscal 1991				
State		Federal			State		Federal		
General	Special	Special			General	Special	Special		
Fund	Revenue	Revenue	Proprietary	Total	Fund	Revenue	Revenue	Proprietary	Total
373,788		118,020		491,808	356,145		56,866		413,011
3. Museum Program									
208,409		41,630		250,039	207,787		23,630		231,417
4. Publications Program									
a. Operations									
55,081			428,850	483,931	55,123			427,904	483,027
b. Audit									
			1,161	1,161					
5. Historical Sites Preservation Program									
a. Operations									
64,685		548,752		613,437	68,920		553,215		622,135
b. Audit									
650		3,419		4,069					
Total									
1,208,886	47,395	847,708	430,011	2,534,000	1,182,011	47,403	760,091	427,904	2,417,409
TOTAL SECTION D									
66,519,281	4,031,112	7,744,025	3,488,650	81,783,068	66,942,641	4,262,808	7,532,984	3,060,153	81,798,586

E. OTHER EDUCATION

BOARD OF PUBLIC EDUCATION

1. Board Administration									
a. Operations									
114,683				114,683	109,004				109,004
b. Audit									
2,214				2,214					
Total									
116,897				116,897	109,004				109,004
2. Montana School for the Deaf and Blind									
a. Administration									
196,439				196,439	191,637				191,637
b. General Services									
269,525				269,525	276,051				276,051
c. Student Services									
711,326		38,000		749,326	714,196		38,000		752,196
d. Education									
1,043,039		316,801		1,359,840	1,043,091		316,801		1,359,892
e. Audit									
17,710				17,710					
Total									
2,238,039		354,801		2,592,840	2,224,975		354,801		2,579,776

OFFICE OF PUBLIC INSTRUCTION

1. State Superintendent's Office									
404,769				404,769	401,920				401,920
2. Central Services									
a. Operations									
1,232,170	5,000	27,784	389,144	1,654,098	1,270,007	5,000	27,784	385,601	1,688,392
b. Audit									
45,324				45,324					
3. Educational Services									
1,088,725	213,597	2,704,974		4,007,296	1,044,113	213,597	2,685,752		3,943,462
Total									
2,770,988	218,597	2,732,758	389,144	6,111,487	2,716,040	218,597	2,713,536	385,601	6,033,774

OFFICE OF PUBLIC INSTRUCTION — DISTRIBUTION TO SCHOOLS

1. Special Education									
33,361,646				33,361,646	33,361,646				33,361,646
2. Special Education Contingency									
500,000				500,000	500,000				500,000
3. Transportation									
6,252,894				6,252,894	6,252,894				6,252,894
4. School Foods									
599,397				599,397	599,397				599,397
5. Secondary Vocational Education									
900,000				900,000	900,000				900,000
6. Impact Aid									
5,000				5,000	5,000				5,000
7. Gifted and Talented									
100,000				100,000	100,000				100,000

Fiscal 1990					Fiscal 1991				
	State	Federal				State	Federal		
General	Special	Special			General	Special	Special		
<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>Proprietary</u>	<u>Total</u>	<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>Proprietary</u>	<u>Total</u>
8. Adult Basic Education									
53,905	146,095			200,000	103,905	146,095			250,000
Total									
41,772,842	146,095			41,918,937	41,822,842	146,095			41,968,937

Item 2, a biennial appropriation, is for emergencies that may arise in special education programs in local districts. A district board of trustees may apply for an allocation from these funds by presenting to the superintendent of public instruction, for each child, a child-study team (CST) report and an individual education plan (IEP) relating to this unforeseen expense or, if the need for additional personnel is due to case load excess, a board of trustees verification of completed IEPs and CSTs. In addition, a current listing of program, case loads, and related costs must be submitted. Contingency funds may be awarded for positions that have gone unfilled for an entire school year and for which regular state special education funds were not awarded.

OFFICE OF PUBLIC INSTRUCTION — DISCRETIONARY GRANTS

FEDERAL INSTRUCTION DISCRETIONARY GRANTS				
1. Vocational Education	2,500,000	2,500,000	2,500,000	2,500,000
2. Education of the Handicapped — Part B	425,000	425,000	505,000	505,000
3. Preschool Incentive Grants	50,000	50,000	50,000	50,000
4. Job Training Partnership	508,602	508,602	508,602	508,602
5. Adult Basic Education	475,208	475,208	498,968	498,968
6. McKinney Homeless Act	140,414	140,414	70,212	70,212
7. Education of the Handicapped — Architectural	32,000	32,000		
Total	4,131,224	4,131,224	4,132,782	4,132,782

STATE COUNCIL FOR VOCATIONAL EDUCATION

1. Operations	133,823	133,823	134,182	134,182
2. Audit	3,736	3,736		
Total	137,559	137,559	134,182	134,182

TOTAL SECTION E

46,898,766	364,692	7,356,342	389,144	55,008,944	46,872,861	364,692	7,335,301	385,601	54,958,455
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F. HIGHER EDUCATION

All funds, other than plant funds and current unrestricted operating funds, may be spent and are appropriated contingent upon approval of the comprehensive program budget by the board of regents by July 1 of each year. The budget must contain detailed revenues and expenditures and anticipated fund balances of current funds, loan funds, and endowment funds. All movement of funds between the current unrestricted subfund and the designated subfund account entities must be clearly identified in the state budgeting and accounting system.

Programs for the university budgets include instruction, organized research, public service, academic support, student services, institutional support, operation and maintenance of plant, and scholarships and fellowships.

The six university units shall account for expenditures consistently within programs and funds across all units and shall use the national center for higher education management systems program classification structure, along with the college and university business administration (CUBA) system, as a minimum standard for achieving consistency.

Each year of the biennium, the portion of indirect cost reimbursements that exceeds the amount set forth in the current unrestricted operating subfund appropriation for each unit is appropriated to the respective unit. All indirect cost reimbursement not expended in the current unrestricted operating subfund account must be clearly identified and separately accounted for during the 1991 biennium.

Included within current unrestricted funds to the six institutions is the sum of \$12,050,000 in fiscal 1990 and \$12,022,000 in fiscal 1991 from revenues generated under the provisions of 20-25-423. The department of revenue shall levy the full 6 mills as authorized in 20-25-423. Revenues received by the university system under the provisions of 20-25-423 that exceed \$12,050,000 in fiscal 1990 and \$12,022,000 in fiscal 1991 must cause a general fund reversion of a like amount each year.

COMMISSIONER OF HIGHER EDUCATION

1. Office Administration				
a. Operations				
804,601	804,601	801,403		801,403
b. Audit				

SIXTY-FOURTH LEGISLATIVE DAY
March 20, 1989

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Fiscal 1990

Fiscal 1991

	<u>Fiscal 1990</u>					<u>Fiscal 1991</u>				
	General	State Special	Federal Special	Proprietary	Total	General	State Special	Federal Special	Proprietary	Total
	<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>			<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>		
2. WICHE Dues	16,487				16,487					
		65,100			65,100		68,400			68,400
3. WICHE - Student Assistance	1,405,500	258,900			1,664,400	1,316,067	341,600			1,657,667
4. WAMI	2,057,872				2,057,872	2,152,280				2,152,280
5. Minnesota Rural Dentistry	93,600				93,600	95,200				95,200
6. State Student Incentive Grants	220,000		220,000		440,000	220,000		220,000		440,000
7. Carl Perkins Loan	55,000				55,000	55,000				55,000
8. State College Work Study	391,586				391,586	391,587				391,587
9. Supplemental Educational Opportunity Grant	46,921				46,921	99,056				99,056
10. Paul Douglas Teacher Grants			82,728		82,728			82,728		82,728
11. Education for Economic Security			161,561		161,561			161,561		161,561
12. Talent Search										
a. Operations			213,639		213,639			184,409		184,409
b. Audit			1,500		1,500					
13. Guaranteed Student Loan			1,567,791		1,567,791			1,375,166		1,375,166
a. Operations										
b. Audit			6,088		6,088					
14. University System Group Insurance				10,295,000	10,295,000				11,750,000	11,750,000
15. Vocational-Technical Administration	83,689		143,690		227,379	80,637		140,637		221,274
16. Vocational Education Grants			4,584,497		4,584,497			4,587,550		4,587,550
17. Board of Regents	32,817				32,817	32,868				32,868
18. Vocational-Technical Bond Payments	730,905				730,905	717,068				717,068
Total	5,938,978	324,000	6,981,494	10,295,000	23,539,472	5,961,166	410,000	6,752,051	11,750,000	24,873,217

In each fiscal year, the commissioner of higher education is allowed to transfer appropriation authority between the amounts included in the WICHE appropriation for dentistry, which is \$144,300 in fiscal 1990 and \$134,867 in fiscal 1991, and the Minnesota rural dentistry appropriation.

Item 18 may not be expended unless the board of regents obtains a contract from the school district that ensures that the state of Montana shall receive deed to the vocational-technical center facility for the cost of retiring the outstanding bond.

FIRE SERVICES TRAINING SCHOOL

1. Operations	212,958	35,972	248,930	202,822		33,133	235,955
2. Audit	2,214		2,214				
3. Training Delivery		20,000	20,000				
Total	215,172	55,972	271,144	202,822		33,133	235,955

The fire services training school must be provided office, classroom, and storage space in the Great Falls vocational-technical center at no charge.

Item 3 is a biennial appropriation.

<u>Fiscal 1990</u>			<u>Fiscal 1991</u>		
General	Current		General	Current	
<u>Fund</u>	<u>Unrestricted</u>	<u>Total</u>	<u>Fund</u>	<u>Unrestricted</u>	<u>Total</u>

COMMUNITY COLLEGES

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REGULAR SESSION

	<u>Fiscal 1990</u>			<u>Fiscal 1991</u>		
	General	Current		General	Current	
	<u>Fund</u>	<u>Unrestricted</u>	<u>Total</u>	<u>Fund</u>	<u>Unrestricted</u>	<u>Total</u>
1. Dawson Community College						
a. Operations	714,317		714,317	714,317		714,317
b. Audit	8,460		8,460			
2. Flathead Valley Community College						
a. Operations	1,709,586		1,709,586	1,709,586		1,709,586
b. Audit	8,460		8,460			
3. Miles Community College						
a. Operations	758,388		758,388	758,388		758,388
b. Audit	8,460		8,460			
Total	3,207,671		3,207,671	3,182,291		3,182,291

The above appropriation provides 47% of the total unrestricted budgets for the community colleges, which budgets must be approved by the board of regents.

The general fund appropriation for each community college includes 47% of the total audit cost. The remaining 53% of these costs are to be paid from funds other than those appropriated in items 1 through 3. Audit costs may not exceed \$18,000 for each unit for the biennium.

Dawson, Flathead Valley, and Miles community colleges are prohibited from including in student enrollment, used in calculating the unrestricted budget referred to in 20-15-310, student FTE from out-of-district centers not approved under board of regents Policy 220.1.

BILLINGS VOCATIONAL-TECHNICAL CENTER

1. Instruction	832,901	191,898	1,024,799	850,637	174,162	1,024,799
2. Plant Operation and Maintenance	131,071	146,328	277,399	121,917	155,482	277,399
3. Support						
a. Operations		514,989	514,989		514,989	514,989
b. Audit	22,414		22,414			
Total	986,386	853,215	1,839,601	972,554	844,633	1,817,187

Total audit costs are estimated to be \$24,904 for the biennium. Ten percent of these costs are to be paid from funds other than those appropriated in items 1 through 3.

BUTTE VOCATIONAL-TECHNICAL CENTER

1. Instruction	925,747		925,747	925,747		925,747
2. Plant Operation and Maintenance	185,200	24,482	209,682	179,451	30,231	209,682
3. Support						
a. Operations		519,912	519,912		519,912	519,912
b. Audit	22,414		22,414			
Total	1,133,361	544,394	1,677,755	1,105,198	550,143	1,655,341

Total audit costs are estimated to be \$24,904 for the biennium. Ten percent of these costs are to be paid from funds other than those appropriated in items 1 through 3.

GREAT FALLS VOCATIONAL-TECHNICAL CENTER

1. Instruction	1,140,954	75,189	1,216,143	1,127,751	88,392	1,216,143
2. Plant Operation and Maintenance	128,261	143,192	271,453	119,304	152,149	271,453
3. Support						
a. Operations		465,854	465,854		465,854	465,854
b. Audit	22,414		22,414			
Total	1,291,629	684,235	1,975,864	1,247,055	706,395	1,953,450

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	<u>Fiscal 1990</u>			<u>Fiscal 1991</u>		
	General	Current		General	Current	
	<u>Fund</u>	<u>Unrestricted</u>	<u>Total</u>	<u>Fund</u>	<u>Unrestricted</u>	<u>Total</u>
Total audit costs are estimated to be \$24,904 for the biennium. Ten percent of these costs are to be paid from funds other than those appropriated in items 1 through 3.						
HELENA VOCATIONAL-TECHNICAL CENTER						
1. Instruction						
	1,440,026		1,440,026	1,440,026		1,440,026
2. Plant Operation and Maintenance	191,385	213,537	404,922	198,035	206,887	404,922
3. Support						
a. Operations		616,112	616,112		616,112	616,112
b. Audit	22,414		22,414			
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Total	1,653,825	829,649	2,483,474	1,638,061	822,999	2,461,060

Total audit costs are estimated to be \$24,904 for the biennium. Ten percent of these costs are to be paid from funds other than those appropriated in items 1 through 3.

MISSOULA VOCATIONAL-TECHNICAL CENTER						
1. Instruction	1,514,445		1,514,445	1,514,445		1,514,445
2. Plant Operation and Maintenance	347,897	5,581	353,478	310,574	42,904	353,478
3. Support						
a. Operations		756,470	756,470		756,470	756,470
b. Audit	22,414		22,414			
	-----	-----	-----	-----	-----	-----
Total	1,884,756	762,051	2,646,807	1,825,019	799,374	2,624,393

Total audit costs are estimated to be \$24,904 for the biennium. Ten percent of these costs are to be paid from funds other than those appropriated in items 1 through 3.

EMPLOYEE CLASSIFICATION CONVERSION						
1. Personal Services	36,762		36,762	36,762		36,762

The amounts in item 1 are for anticipated employee classification costs when the vocational-technical center employees become part of the state pay and classification system beginning July 1, 1989. The amounts in item 1 may be expended in either year of the biennium upon review and approval by the commissioner of higher education.

The commissioner of higher education may transfer county millage collections among centers. Millage received by the centers from the 1.5-mill levy that in the aggregate exceeds \$787,000 in fiscal 1990 and \$796,000 in fiscal 1991 must cause a general fund reversion of a like amount each year. Any voted millage funds available for the vocational-technical centers are appropriated.

BUREAU OF MINES						
1. Research	1,254,014	53,000	1,307,014	1,275,109	53,000	1,328,109
AGRICULTURAL EXPERIMENT STATION						
1. Agricultural Experiment Station	6,509,679	2,031,135	8,540,814	6,727,832	2,031,135	8,758,967
2. Spring Wheat Breeding	170,000		170,000			
3. U.S. Range Laboratory		375,044	375,044		374,364	374,364
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Total	6,679,679	2,406,179	9,085,858	6,727,832	2,405,499	9,133,331

Item 2 is a biennial appropriation.

COOPERATIVE EXTENSION SERVICE						
1. Public Service	2,161,868	2,053,352	4,215,220	2,319,378	2,079,575	4,398,953
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Total	2,161,868	2,053,352	4,215,220	2,319,378	2,079,575	4,398,953

FOREST AND CONSERVATION EXPERIMENT STATION						
1. Research	654,455		654,455	667,253		667,253

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	<u>Fiscal 1990</u>			<u>Fiscal 1991</u>		
	General	Current		General	Current	
	<u>Fund</u>	<u>Unrestricted</u>	<u>Total</u>	<u>Fund</u>	<u>Unrestricted</u>	<u>Total</u>
MONTANA STATE UNIVERSITY						
1. Instruction	24,735,156	944,535	25,679,691	26,829,594	661,124	27,490,718
2. Research		597,759	597,759		597,963	597,963
3. Public Service		10,749	10,749		10,752	10,752
4. Academic Support, Student Services, and Institutional Support		13,171,640	13,171,640		13,342,208	13,342,208
5. Audit	47,042		47,042			
6. Operation and Maintenance of Physical Plant	4,159,454	1,563,345	5,722,799	5,149,756	801,955	5,951,711
7. New Space	50,000		50,000			
8. Scholarships and Fellowships		1,188,665	1,188,665		1,188,665	1,188,665
Total	28,991,652	17,476,693	46,468,345	31,979,350	16,602,667	48,582,017

Total audit costs are estimated to be \$94,083 for the biennium. Fifty percent of these costs are to be paid from funds other than those appropriated in items 1 through 8.

Item 7 is a biennial appropriation.

UNIVERSITY OF MONTANA

1. Instruction	18,555,351	949,162	19,504,513	19,902,854	1,232,201	21,135,055
2. MBA Program	260,000		260,000			
3. Research		536,137	536,137		536,582	536,582
4. Public Service		183,132	183,132		183,288	183,288
5. Academic Support, Student Services, and Institutional Support		10,684,143	10,684,143		10,831,563	10,831,563
6. Audit	47,042		47,042			
7. Operation and Maintenance of Physical Plant	3,796,207	1,479,255	5,275,462	4,728,409	758,072	5,486,481
8. New Space	225,000		225,000			
9. Scholarships and Fellowships		1,077,497	1,077,497		1,077,497	1,077,497
Total	22,883,600	14,909,326	37,792,926	24,631,263	14,619,203	39,250,466

Total audit costs are estimated to be \$94,083 for the biennium. Fifty percent of these costs are to be paid from funds other than those appropriated in items 1 through 9.

Items 2 and 8 are biennial appropriations.

EASTERN MONTANA COLLEGE

1. Instruction	6,889,638		6,889,638	7,311,399		7,311,399
2. Public Service		246,653	246,653		249,869	249,869
3. Academic Support, Student Services, and Institutional Support	493,756	4,348,068	4,841,824	266,950	4,597,948	4,864,898
4. Audit	45,658		45,658			
5. Operation and Maintenance of Physical Plant	1,516,250	591,328	2,107,578	1,896,360	295,521	2,191,881
6. New Space	20,000		20,000			
7. Scholarships and Fellowships		358,606	358,606		358,606	358,606
Total	8,965,302	5,544,655	14,509,957	9,474,709	5,501,944	14,976,653

Total audit costs are estimated to be \$60,877 for the biennium. Twenty-five percent of these costs are to be paid from funds other than those appropriated in items 1 through 7.

Item 6 is a biennial appropriation.

	<u>Fiscal 1990</u>			<u>Fiscal 1991</u>		
	General	Current		General	Current	
	<u>Fund</u>	<u>Unrestricted</u>	<u>Total</u>	<u>Fund</u>	<u>Unrestricted</u>	<u>Total</u>
NORTHERN MONTANA COLLEGE						
1. Instruction	3,989,888		3,989,888	4,216,100		4,216,100
2. Transition Funding	300,000		300,000			
3. Public Service		8,891	8,891		8,891	8,891
4. Academic Support, Student Services, and Institutional Support	426,375	1,963,040	2,389,415	276,583	2,117,724	2,394,307
5. Audit	38,394		38,394			
6. Operation and Maintenance of Physical Plant	802,812	316,609	1,119,421	1,008,311	155,886	1,164,197
7. Scholarships and Fellowships		314,000	314,000		314,000	314,000
Total	5,557,469	2,602,540	8,160,009	5,500,994	2,596,501	8,097,495

Total audit costs are estimated to be \$51,192 for the biennium. Twenty-five percent of these costs are to be paid from funds other than those appropriated in items 1 through 7.

Item 2 is a biennial appropriation.

WESTERN MONTANA COLLEGE						
1. Instruction	2,162,893		2,162,893	2,298,465		2,298,465
2. Transition Funding	125,000		125,000			
3. Academic Support, Student Services, and Institutional Support	261,228	1,112,154	1,373,382	164,133	1,221,525	1,385,658
4. Audit	38,394		38,394			
5. Operation and Maintenance of Physical Plant	542,176	219,425	761,601	685,853	106,212	792,065
6. Scholarships and Fellowships		107,889	107,889		107,889	107,889
Total	3,129,691	1,439,468	4,569,159	3,148,451	1,435,626	4,584,077

Total audit costs are estimated to be \$51,192 for the biennium. Twenty-five percent of these costs are to be paid from funds other than those appropriated in items 1 through 6.

Item 2 is a biennial appropriation.

MONTANA COLLEGE OF MINERAL SCIENCE AND TECHNOLOGY						
1. Instruction	4,447,218		4,447,218	4,879,550		4,879,550
2. Research		50,262	50,262		50,351	50,351
3. Academic Support, Student Services, and Institutional Support	599,838	2,119,056	2,718,894	468,628	2,291,294	2,759,922
4. Audit	45,658		45,658			
5. Operation and Maintenance of Physical Plant	1,062,941	416,830	1,479,771	1,332,895	206,067	1,538,962
6. Scholarships and Fellowships		285,255	285,255		285,255	285,255
Total	6,155,655	2,871,403	9,027,058	6,681,073	2,832,967	9,514,040

Total audit costs are estimated to be \$60,877 for the biennium. Twenty-five percent of these costs are to be paid from funds other than those appropriated in items 1 through 6.

<u>Fiscal 1990</u>					<u>Fiscal 1991</u>				
State	Federal				State	Federal			
General	Special	Special		General	Special	Special			
<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>Proprietary</u>	<u>Total</u>	<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>Proprietary</u>	<u>Total</u>
TOTAL SECTION F									
102,781,925	53,354,160	6,981,494	10,350,972	173,468,551	108,576,340	52,260,526	6,752,051	11,783,133	179,372,050

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Fiscal 1990					Fiscal 1991				
State		Federal			State		Federal		
General	Special	Revenue	Proprietary	Total	General	Special	Revenue	Proprietary	Total
<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>Proprietary</u>	<u>Total</u>	<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>Proprietary</u>	<u>Total</u>

NOTE: The total of state special revenues for section F includes the following amounts of current unrestricted funds:

Fiscal 1990 ——— \$53,030,160

Fiscal 1991 ——— \$51,850,526

TOTAL STATE FUNDING									
383,434,074	319,383,795	473,021,611	89,777,783	1,265,617,263	395,830,455	303,027,939	466,649,878	91,219,930	1,256,728,202

And, as amended, do pass. Report adopted.

HB 600, do pass. Report adopted.

HB 717, do pass. Report adopted.

LABOR AND EMPLOYMENT RELATIONS (Russell, Chairman): 3/18/89
SB 315, be concurred in. Report adopted.

STATE ADMINISTRATION (J. Brown, Chairman): 3/20/89
HJR 35, do pass. Report adopted.

Representative Rehberg excused at this time.

ADVERSE COMMITTEE REPORTS

HB 282 - Representative Bardanouve moved the 3/18/89 adverse committee report on HB 282 be adopted.

Representative Strizich made a substitute motion the adverse committee report be not adopted and HB 282 be printed and placed on second reading. Motion failed as follows:

Ayes: Addy, Bachini, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Gervais, Good, Hansen, Harper, Harrington, Johnson, Kadas, Kilpatrick, Koehnke, McCormick, McDonough, Menahan, Moore, Nisbet, O'Keefe, Pavlovich, Peterson, Quilici, Raney, Ream, Russell, Schye, Simpkins, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Westlake, Whalen, Wyatt, Mr. Speaker.
Total 49

Noes: Aafedt, Bardanouve, Campbell, Cobb, DeBruycker, Elliott, Ellison, Eudaily, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Iverson, Kasten, Keller, Knapp, Lee, Marks, Mercer, L. Nelson, R. Nelson, T. Nelson, Owens, Patterson, Peck, Phillips, Rice, Roth, Simon, Smith, Stepler, Swift, Swysgood, Thoft, Thomas, Wallin, Zook.
Total 43

Excused: Compton, Ramirez, Rehberg.
Total 3

Absent or not voting: Bradley, Clark, Giacometto, Kimberley, O'Connell.
Total 5

Thereupon, the adverse committee report was adopted as follows:

Ayes: Aafedt, Bardanouve, Campbell, Cobb, Darko, DeBruycker, Driscoll, Elliott, Ellison, Eudaily, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hanson, Hayne, Hoffman, Iverson, Kadas, Kasten, Keller, Knapp, Koehnke, Lee, Marks, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson,

O'Connell, Owens, Patterson, Peck, Phillips, Rice, Roth, Simon, Smith, Spring, Stepler, Swift, Swysgood, Thoft, Thomas, Wallin, Wyatt, Zook.
Total 50

Noes: Addy, Bachini, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Davis, DeMars, Gervais, Giacometto, Good, Hansen, Harper, Harrington, Johnson, Kilpatrick, McCormick, McDonough, Menahan, Nisbet, Pavlovich, Peterson, Quilici, Raney, Ream, Russell, Schye, Simpkins, Spaeth, Squires, Stang, Stickney, Strizich, Westlake, Whalen, Mr. Speaker.
Total 42

Excused: Compton, Ramirez, Rehberg.
Total 3

Absent or not voting: Bradley, Clark, Hannah, Kimberley, O'Keefe.
Total 5

Representatives Rehberg and Ramirez present at this time.

HB 400 - Representative Bardanoue moved the 3/17/89 adverse committee report on HB 400 be adopted. Motion carried as follows:

Ayes: Bardanoue, Blotkamp, Boharski, Clark, Cobb, Cody, DeBruycker, Elliott, Ellison, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Hayne, Hoffman, Iverson, Kasten, Keller, Knapp, Koehnke, Lee, Marks, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Owens, Patterson, Peck, Peterson, Phillips, Ramirez, Rehberg, Rice, Roth, Simon, Simpkins, Smith, Spring, Stepler, Swift, Swysgood, Thoft, Thomas, Westlake, Zook.
Total 52

Noes: Aafedt, Addy, Bachini, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Eudaily, Gervais, Giacometto, Hannah, Harper, Harrington, Johnson, Kadas, Kilpatrick, Kimberley, McCormick, McDonough, Moore, Nisbet, O'Connell, O'Keefe, Pavlovich, Raney, Ream, Russell, Schye, Spaeth, Squires, Stang, Stickney, Strizich, Wallin, Whalen, Wyatt, Mr. Speaker.
Total 46

Excused: Compton.
Total 1

Absent or not voting: Quilici.
Total 1

HB 690 - Representative Spaeth moved consideration of the adverse committee report on HB 690 be passed for the day. Motion carried.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House: 3/18/89

HB 412, introduced by Bradley
HB 708, introduced by Simon
HJR 20, introduced by Spaeth

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 3/18/89

HB 254, introduced by Thoft
HB 295, introduced by Addy

HB 346, introduced by Rice
HB 349, introduced by Strizich
HB 350, introduced by Strizich
HB 422, introduced by Eudaily
HB 483, introduced by Driscoll
HB 489, introduced by Rice

MESSAGES FROM THE GOVERNOR

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, Montana 59620

March 17, 1989

The Honorable Jack Galt
President of the Senate
State Capitol
Helena, Montana 59620

Dear Representative Vincent and Senator Galt:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby veto House Bill 342, "AN ACT TO PROHIBIT THE USE OF RIMFIRE AMMUNITION IN THE HUNTING OF A GAME ANIMAL, EXCEPT A MOUNTAIN LION, UNLESS KILLING A WOUNDED GAME ANIMAL; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE" for the following reasons.

I am vetoing House Bill 342. The bill is vague and would provide constitutional challenges regarding enforcement. I believe it also invites further unnecessary governmental regulation of Montanans without clear public policy to do so.

Rimfire ammunition is not defined in the bill or referred to in the Montana Codes Annotated. A popular understanding of rimfire is .22 caliber ammunition. This type of ammunition is one of the most popular sporting ammunitions available to the people of our state. To prohibit use of this undefined ammunition to hunt, kill or shoot game animals is overbroad and very difficult to enforce.

It has not been demonstrated that State government should be involved in this issue at this time. By vetoing this bill, and the ensuing public discussion this veto will create, I believe the conscious awareness of Montana sportsmen, who use rimfire ammunition on game animals, will be achieved without the necessity of expanded government regulation. I therefore veto House Bill 342.

Sincerely,

STAN STEPHENS
Governor

MOTIONS

Representative R. Nelson moved HB 173 be taken from the table in the Committee on Appropriations and be printed and placed on second reading the 65th legislative day. Motion carried.

Representative Bachini moved the House reconsider its action on SB 91 taken on second reading the previous legislative day. Motion carried.

Representative Harper moved HB 143 be placed on the second reading board this legislative day. Motion carried.

Representative Wyatt moved HB 773 be placed below HB 193 on the second reading board this legislative day. Motion carried.

Speaker Vincent announced the following:

We have a sensitive and important issue before the House today. Although the deliberations of the House are the public's business and therefore open to the public, a basic rule of decorum applies to spectators and guests:

Signs — and any and all outward expressions of support, opposition, approval or disapproval are not allowed.

The Speaker is authorized to take appropriate action to enforce this rule.

On behalf of the House, I want to welcome everyone who has come to visit us today. I ask for your cooperation in maintaining the decorum of the House.

Representative Hannah moved SB 164 be taken from the table in the Committee on Judiciary and be printed and placed on the top of the second reading board this legislative day. Motion failed. (56-42)

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Simon in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 56 - Representative Whalen moved HB 56 be placed below HB 304 on the second reading board. Motion carried.

HB 193 - Representative Thoft moved HB 193 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Glaser, Gould, Hansen, Harrington, Hoffman, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough, Menahan, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, Rehberg, Russell, Schye, Simon, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Thoft, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 65

Noes: Aafedt, Bardanoue, DeBruycker, Giacometto, Gilbert, Good, Grinde, Guthrie, Hannah, Hanson, Hayne, Iverson, Kasten, Keller, Lee, Marks, Mercer, Owens, Peterson, Phillips, Ramirez, Rice, Roth, Simpkins, Smith, Steppler, Swift, Swysgood, Thomas, Westlake.

Total 30

Excused: Compton.

Total 1

Absent or not voting: Grady, Harper, O'Connell, Patterson.

Total 4

HB 773 - Representative Wyatt moved HB 773 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grinde, Hansen, Hanson, Harper, Harrington, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 79

Noes: Clark, DeBruycker, Ellison, Giacometto, Guthrie, Hayne, Hoffman, Kasten, Mercer, Owens, Phillips, Ramirez, Rehberg, Smith, Zook.

Total 15

Excused: Compton.

Total 1

Absent or not voting: Grady, Hannah, Lee, Patterson, Spring.

Total 5

HB 233 - Representative D. Brown moved HB 233 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 90

Noes: Zook.

Total 1

Excused: Compton.

Total 1

Absent or not voting: Brooke, Grady, Hannah, Harrington, McDonough, Patterson, Spring, Squires.

Total 8

HB 277 - Representative Raney moved HB 277 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Gould, Grady, Guthrie, Hannah, Hansen, Harper, Harrington, Hoffman, Iverson, Johnson, Kilpatrick, Kimberley, Koehnke, McCormick, McDonough, Menahan,

Moore, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, Rehberg, Russell, Schye, Simon, Spaeth, Squires, Stang, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 66

Noes: Boharski, Cobb, Cohen, DeBruycker, Giacometto, Gilbert, Glaser, Good, Hayne, Kasten, Keller, Knapp, Lee, Marks, Mercer, L. Nelson, Owens, Patterson, Peterson, Phillips, Ramirez, Rice, Roth, Simpkins, Smith, Spring, Steppler, Swysgood, Zook.

Total 29

Excused: Compton.

Total 1

Absent or not voting: Ellison, Grinde, Hanson, Kadas.

Total 4

HB 304 - Representative Hannah moved HB 304 do pass. Motion carried as follows:

Ayes: Addy, Blotkamp, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Daily, Darko, DeMars, Driscoll, Gervais, Glaser, Gould, Grady, Hannah, Hansen, Harper, Harrington, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, McDonough, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peterson, Quilici, Ramirez, Raney, Roth, Russell, Schye, Simon, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Wallin, Whalen, Zook.

Total 52

Noes: Aafedt, Bachini, Bardanouve, Boharski, Bradley, Campbell, Clark, Cobb, Cohen, Davis, DeBruycker, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Good, Grinde, Guthrie, Hanson, Hayne, Hoffman, Iverson, Kasten, Lee, Marks, McCormick, Mercer, R. Nelson, Owens, Peck, Phillips, Ream, Rehberg, Rice, Simpkins, Smith, Spring, Swift, Swysgood, Thoft, Thomas, Westlake, Wyatt, Mr. Speaker.

Total 45

Excused: Compton.

Total 1

Absent or not voting: Connelly, Menahan.

Total 2

HB 56 - Representative Whalen moved HB 56, second reading copy, be amended as follows:

1. Page 3.

Following: "purposes" on line 21

Insert: "There is appropriated for the 1990-91 biennium \$25,000 from the highway special revenue fund to pay toward this project."

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth,

Russell, Schye, Simpkins, Smith, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 81

Noes: Boharski, Campbell, DeBruycker, Good, Grinde, Guthrie, Kasten, Keller, Lee, Marks, Peterson, Ramirez, Simon, Spring, Zook.

Total 15

Excused: Compton.

Total 1

Absent or not voting: Bardanouve, Ellison, Hannah.

Total 3

Representative Whalen moved HB 56, as amended, do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, Rice, Roth, Russell, Schye, Simpkins, Smith, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 78

Noes: Boharski, Campbell, DeBruycker, Ellison, Good, Gould, Grinde, Guthrie, Kasten, Keller, Lee, Marks, R. Nelson, Peterson, Ramirez, Rehberg, Simon, Spaeth, Spring.

Total 19

Excused: Compton.

Total 1

Absent or not voting: Bardanouve, Cobb.

Total 2

HB 329 - Representative Daily moved HB 329, second reading copy, be amended as follows:

1. Title, line 5.

Following: "FROM"

Insert: "EITHER"

2. Title, line 6.

Following: "ACCOUNT"

Insert: "OR THE RESOURCE INDEMNITY TRUST WATER DEVELOPMENT SPECIAL REVENUE ACCOUNT"

3. Page 3, line 4.

Following: "from"

Insert: "either"

4. Page 3, line 5.

Following: "account"

Insert: "or the water development special revenue account"

5. Page 3, line 11.

Following: "shall"

Strike: "give"

Insert: "award"

Following: "grant"

Strike: "priority over"

Insert: "from any funds available after funding"

6. Page 3, line 13.

Following: "program"

Insert: "and the water development program"

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Swift, Swysgood, Thoft, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 88

Noes: Boharski, Clark, Ellison, Lee, O'Keefe, Spring.

Total 6

Excused: Compton.

Total 1

Absent or not voting: Bardanouve, Gervais, Russell, Strizich, Wallin.

Total 5

Representative Daily moved HB 329, as amended, do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: Boharski, Cobb, Gilbert, Lee, Stepler.

Total 5

Excused: Compton.

Total 1

Absent or not voting: Ellison, Grinde, Hansen, Knapp.

Total 4

HB 333 - Representative Ream moved HB 333 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Kasten, Lee, Thomas.

Total 3

Excused: Compton.

Total 1

Absent or not voting: Cobb, Ellison, Knapp, Koehnke.

Total 4

HB 390 - Representative Spaeth moved HB 390 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Compton.

Total 1

Absent or not voting: Cobb, Ellison, Hannah, Knapp, O'Keefe.

Total 5

HB 398 - Representative Westlake moved HB 398 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks,

McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: Brooke, Clark, Cobb, Good, Grinde, O'Keefe, Spaeth.
Total 7

Excused: Compton.
Total 1

Absent or not voting: Hannah, Menahan.
Total 2

HB 507 - Representative Addy moved HB 507, second reading copy, be amended as follows:

1. Page 8, line 17.
Strike: "10,000"
Insert: "20,000"
2. Page 8, line 21.
Strike: "10,000"
Insert: "20,000"

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Moore, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Russell, Schye, Simon, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.
Total 76

Noes: Boharski, Campbell, Clark, Cobb, Ellison, Giacometto, Gilbert, Grinde, Hayne, Kasten, Lee, Mercer, L. Nelson, Owens, Ramirez, Simpkins, Smith, Steppler, Swysgood, Thoft, Zook.
Total 21

Excused: Compton.
Total 1

Absent or not voting: Pavlovich, Roth.
Total 2

Representative Connelly moved HB 507, as amended, do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer,

Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 87

Noes: Campbell, Cobb, Giacometto, Grinde, Hoffman, Kasten, Spring, Swift, Thomas, Zook.

Total 10

Excused: Compton.

Total 1

Absent or not voting: Bardanouve, Gilbert.

Total 2

HB 510 - Representative Vincent moved HB 510 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Glaser, Grady, Hansen, Harper, Harrington, Hoffman, Johnson, Kadas, Kilpatrick, Kimberley, Koehnke, Lee, McCormick, McDonough, Menahan, Moore, L. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Quilici, Raney, Ream, Rice, Russell, Schye, Spaeth, Squires, Stang, Stickney, Strizich, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 59

Noes: Aafedt, Boharski, Campbell, Clark, Cobb, DeBruycker, Ellison, Giacometto, Gilbert, Good, Gould, Grinde, Guthrie, Hannah, Hanson, Hayne, Iverson, Kasten, Keller, Knapp, Marks, Mercer, R. Nelson, T. Nelson, Owens, Peterson, Phillips, Ramirez, Rehberg, Roth, Simon, Simpkins, Smith, Spring, Stepler, Swift, Swysgood, Thoft, Thomas, Zook.

Total 40

Excused: Compton.

Total 1

Absent or not voting: None.

Total 0

HB 143 - Representative Harper moved HB 143 be placed at the top of the second reading board. Motion carried.

Representative Schye moved HB 143 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Compton.

Total 1

Absent or not voting: Bradley, D. Brown, Kadas, O'Keefe.

Total 4

HB 535 - Representative J. Brown moved HB 535 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Swysgood.

Total 1

Excused: Compton.

Total 1

Absent or not voting: Clark, Iverson, Kadas.

Total 3

HB 547 - Representative Johnson moved HB 547 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Bardanouve, Brooke, Campbell, Cobb, Guthrie, Kadas.

Total 6

Excused: Compton.

Total 1

Absent or not voting: Wallin.

Total 1

Representative Cobb excused at this time.

HB 555 - Representative Bardanouve moved HB 555 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stepler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 85

Noes: Bachini, Campbell, Giacometto, Good, Guthrie, Hanson, Hayne, Kasten, Koehnke, Patterson, Stang, Swysgood.
Total 12

Excused: Cobb, Compton.
Total 2

Absent or not voting: Thoft.
Total 1

HB 563 - Representative Spaeth moved HB 563 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: Campbell, Gilbert, Grinde, Owens, Spring, Stang, Stepler.
Total 7

Excused: Cobb, Compton.
Total 2

Absent or not voting: Marks.
Total 1

Representative Harper moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Simon moved the adoption of the committee report. Report adopted. (79-14)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 54 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gould, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: Boharski, Campbell, Giacometto, Gilbert, Glaser, Good, Guthrie, Kasten.

Total 8

Excused: Cobb, Compton.

Total 2

Absent or not voting: Grinde, Marks.

Total 2

HB 325 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Cobb, Compton.

Total 2

Absent or not voting: Grinde, Hansen.

Total 2

HB 373 passed as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, DeMars, Driscoll, Ellison, Eudaily, Gervais, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harrington, Hayne, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Moore, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peterson, Quilici, Raney, Ream, Rehberg, Rice, Roth,

Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stickney, Strizich, Swysgood, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 74

Noes: Bardanouve, Campbell, Davis, DeBruycker, Elliott, Giacometto, Good, Guthrie, Hoffman, Kasten, Koehnke, Mercer, L. Nelson, Owens, Patterson, Peck, Phillips, Ramirez, Spring, Steppler, Swift.

Total 21

Excused: Cobb, Compton.

Total 2

Absent or not voting: Grinde, Harper, Thoft.

Total 3

HB 463 passed as follows:

Ayes: Aafedt, Addy, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: Bachini, Campbell, Giacometto, Grinde, Hoffman, Koehnke, L. Nelson, Steppler, Swift, Swysgood.

Total 10

Excused: Cobb, Compton.

Total 2

Absent or not voting: Simpkins.

Total 1

HB 736 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Cohen, Koehnke, O'Keefe, Stang, Whalen.

Total 5

Excused: Cobb, Compton.

Total 2

Absent or not voting: None.

Total 0

SB 250 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Cobb, Compton.

Total 2

Absent or not voting: Giacometto, Phillips.

Total 2

SB 260 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Cobb, Compton.

Total 2

Absent or not voting: Ellison, Hoffman.

Total 2

SB 325 concurred in as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, DeMars, Driscoll, Elliott, Eudaily, Gervais, Gould, Grady, Hansen, Harper, Harrington, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, McCormick, McDonough, Menahan, Moore, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, Russell, Schye,

Smith, Spaeth, Squires, Stickney, Strizich, Swift, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 58

Noes: Aafedt, Boharski, Campbell, Davis, DeBruycker, Ellison, Giacometto, Gilbert, Glaser, Good, Grinde, Guthrie, Hannah, Hansen, Hayne, Hoffman, Kasten, Knapp, Koehnke, Lee, Marks, Mercer, L. Nelson, Owens, Patterson, Peterson, Phillips, Ramirez, Rehberg, Rice, Roth, Simon, Simpkins, Spring, Stang, Stepler, Swysgood, Thoft, Thomas, Zook.

Total 40

Excused: Cobb, Compton.

Total 2

Absent or not voting: None.

Total 0

SB 355 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanoue, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Peck.

Total 1

Excused: Cobb, Compton.

Total 2

Absent or not voting: Simpkins.

Total 1

SB 381 concurred in as follows:

Ayes: Aafedt, Addy, Bardanoue, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Ellison, Eudaily, Gervais, Gilbert, Good, Gould, Grady, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rice, Roth, Russell, Schye, Simon, Smith, Spring, Squires, Stepler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 78

Noes: Bachini, Campbell, Cohen, DeBruycker, Elliott, Giacometto, Glaser, Grinde, Guthrie, Hannah, Hansen, Hayne, Koehnke, Lee, O'Keefe, Rehberg, Spaeth, Stang, Swysgood.

Total 19

Excused: Cobb, Compton.

Total 2

Absent or not voting: Simpkins.

Total 1

SB 385 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Grinde, Marks, Spring.

Total 3

Excused: Cobb, Compton.

Total 2

Absent or not voting: Keller.

Total 1

SB 421 concurred in as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Addy, Glaser, Peck, Stang.

Total 4

Excused: Cobb, Compton.

Total 2

Absent or not voting: None.

Total 0

SB 439 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman,

Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Cobb, Compton.

Total 2

Absent or not voting: Ellison, Peterson.

Total 2

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

3/20/89

Correctly printed: HB 600, HB 717.

Correctly enrolled: HB 1, HB 2, HB 43, HB 69, HB 128, HB 151, HB 192, HB 201, HB 239, HB 252, HB 253, HB 278, HB 308, HB 321, HB 326, HB 347, HB 365, HB 372, HB 374, HB 388, HB 419, HB 434, HB 446, HB 449, HB 467, HB 570, HB 573.

Examined by the sponsors and found to be correct:

HB 1 - Ramirez

HB 2 - Marks

HB 43 - Boharski

HB 69 - DeBruycker

HB 128 - Johnson

HB 151 - Swift

HB 192 - Rice

3/18/89

HB 201 - Spaeth

3/14/89

HB 239 - Simpkins

HB 252 - Spring

HB 253 - Spring

HB 278 - Ream

HB 308 - Squires

HB 321 - Spaeth

3/16/89

HB 326 - Rice

HB 347 - Smith

HB 365 - Harrington

3/17/89

HB 372 - Gould

3/18/89

HB 374 - Peck

HB 388 - Mercer

HB 419 - Koehnke

HB 434 - Rice

HB 446 - Daily

HB 449 - Schye

HB 467 - Brooke

3/18/89

HB 570 - Spaeth

3/16/89

HB 573 - McCormick

Signed by the Speaker at 4:45 p.m., 3/20/89: SB 22, SB 43, SB 51, SB 64, SB 69, SB 122, SB 229, SJR 6.

APPROPRIATIONS (Bardanoue, Chairman):

3/20/89

HB 234, do pass. Report adopted.

HB 526, introduced bill, be amended as follows:

1. Page 5, line 19.

Following: "fund."

Insert: "(1)"

2. Page 5.

Following: line 23

Insert: "(2) The department of natural resources and conservation shall retain \$10,000 of the unobligated cash balance within the alternative energy and energy conservation research development and demonstration account at the end of fiscal year 1989 to fully fund its appropriations in the 1990-91 biennium."

3. Page 8.

Following: line 6

Insert: "NEW SECTION. Section 8. Coordination instruction. (1) If House Bill No. 683 is not passed and approved, [section 3(2) of this act] is void.

(2) If House Bill No. 683 is passed and approved, the language in [section 2 of this act] that provides, "and by the department of commerce through the science and technology research program of the Montana science and technology board under 90-3-101 as it read before [the effective date of this act]", is void."

Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 550, second reading copy, be amended as follows:

1. Title, line 5.

Following: "COMMERCE"

Insert: "AND THE SCHOOL OF ARCHITECTURE AT MONTANA STATE UNIVERSITY"

2. Page 2, line 10.

Following: "commerce"

Insert: "in conjunction with the school of architecture at Montana state university"

3. Page 2, line 12.

Following: "commerce"

Insert: "in conjunction with the school of architecture at Montana state university"

And, as amended, do pass. Report adopted.

HB 760, introduced bill, be amended as follows:

1. Page 1, lines 21 through 25.

Strike: lines 21 through 25 in their entirety

2. Page 2, line 2.

Following: "of"

Strike: "the Valley Creek Reservoir"

Insert: "a reservoir"

3. Page 2, line 9.

Following: "reservoir"

Strike: "at the Valley Creek site or possibly at other sites"

4. Page 2, line 16.

Following: "appropriated"

Strike: "\$100,000"

Insert: "\$7,500"

5. Page 2, line 20.

Following: "area"

Strike: ", particularly at the Valley Creek site"

6. Page 2, line 22.

Following: "the"

Strike: "\$100,000"

Insert: "\$7,500"

7. Page 3, line 1.

Strike: "\$100,000"

Insert: "\$7,500"

And, as amended, do pass. Report adopted.

HB 765, introduced bill, be amended as follows:

1. Page 2, line 12.

Strike: "\$20,000"

Insert: "\$25,000"

2. Page 2, line 23.

Strike: "\$20,000"

Insert: "\$25,000"

3. Page 3, line 1.

Strike: "\$20,000"

Insert: "\$25,000"

4. Page 3, line 4.

Strike: "\$20,000"

Insert: "\$25,000"

5. Page 6, line 20.

Following: "loans."

Strike: subsection (2) in its entirety

Insert: "(2) It is the purpose of [this act] to test the design and feasibility of a program to encourage and assist in the creation, development, and finance of businesses with fewer than 10 full-time equivalent employees and gross revenues of less than \$500,000 a year. The microbusiness finance program created in [section 4] is intended as a pilot project, restricted to a maximum of six project operators, funded to a maximum of \$250,000 each, for a period of 4 years from [the effective date of this act], after which period repayment of funds made available under this program must commence.

(3) It is intended that the process of certification of microbusiness development corporations and selection among competing proposals for development loans be an open and competitive process, allowing access to the competition to all interested communities and organizations and selecting for award of development loans those projects that are best qualified according to the criteria established under [sections 4 through 6]."

6. Page 9, line 25.

Strike: "\$200,000"

Insert: "\$250,000"

7. Page 10, line 1.

Following: "corporation."

Strike: remainder of line 1 through "\$350,000." on line 4

8. Page 11, line 20.

Strike: "\$20,000"

Insert: "\$25,000"

9. Page 11, line 22.

Strike: "\$20,000"

Insert: "\$25,000"

10. Page 12, line 2.

Strike: "\$20,000"

Insert: "\$25,000"

11. Page 12, line 4.

Strike: "\$20,000"

Insert: "\$25,000"

12. Page 18, line 10.

Strike: "\$2,200,000"

Insert: "\$1,500,000"

13. Page 18.

Following: line 23

Insert: "NEW SECTION. Section 11. Sunset provision — audit and evaluation of the microbusiness finance program — repayment of development loans — reversion of program funds to general fund.

(1) An audit, an analysis of costs and benefits and an evaluation of the microbusiness finance program must be conducted by the office of the legislative auditor, beginning October 1, 1992, and the findings of this audit, analysis, and evaluation must be reported to the legislature no later than January 15, 1993.

(2) No development loans may be made after June 30, 1992.

(3) All interest-only development loans made by the department must have terms ending no later than June 30, 1993.

(4) Amortization schedules for repayment of all development loan funds to the development loan account must be negotiated and must be in effect no later than June 30, 1993.

(5) All funds in the development loan account on July 1, 1993, and all funds deposited in that account after July 1, 1993, must revert to the general fund.

(6) The microbusiness finance program must continue in existence until June 30, 1996, for the purpose of winding up its affairs and collecting repayments of development loan funds.

(7) On July 1, 1996, or when all development loan funds have been collected or recognized as loan losses, whichever date is earlier, all funds in the microbusiness finance program administrative account must revert to the general fund."

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

BUSINESS AND ECONOMIC DEVELOPMENT (Pavlovich, Chairman):

3/20/89

HB 746, introduced bill, be amended as follows:

1. Title, line 10.

Strike: "AN"

Insert: "A DELAYED"

2. Page 2, lines 9, 12, and 17.

Page 3, lines 2, 16, and 20.

Page 4, line 2.

Page 5, lines 18 and 24.

Page 6, lines 2, 4, and 25.

Page 7, lines 3, 7, and 25.

Page 8, lines 14, 21, 22, and 23.

Page 9, lines 3 and 15.

Page 10, line 6.

Page 12, lines 19 and 21.

Strike: "12"

Insert: "13"

3. Page 2.

Following: line 12

Insert: "(1) "Adjusted gross proceeds" means all money collected or received from games authorized by [sections 1 through 13] minus prizes paid."

Renumber: subsequent subsections

4. Page 2, lines 18 and 19.

Strike: subsection (3) in its entirety

Renumber: subsequent subsections

5. Page 4, line 9.

Following: "manufacture"

Insert: "for sale in this state"

6. Page 4, line 14.

Strike: "manufacturer's or"

Following: "license"

Strike: "shall."

Insert: "must"

7. Page 4, line 15.

Strike: "(a)"

8. Page 4, line 16.

Strike: ".,"

Insert: ".,"

9. Page 4.

Following: line 16

Insert: "(3) An applicant for issuance or renewal of a manufacturer's or distributor's license shall."

10. Page 4, line 17.

Strike: "(b)"

Insert: "(a)"

11. Page 4, line 19.

Strike: "(c)"

Insert: "(b)"

12. Page 4, line 21.

Strike: "(d)"

Insert: "(c)"

13. Page 5, line 5.

Strike: "(3)"

Insert: "(4)"

14. Page 6, line 9.

Following: "the"

Insert: "adjusted"

15. Page 6, lines 24 and 25.

Strike: "licensed under"

Insert: "who offer or make available games authorized by"

16. Page 7, line 4.

Strike: "\$800"

Insert: "\$500"

17. Page 7, line 7.

Strike: "be a random game"

Insert: "comply with standards promulgated by the department"

18. Page 7, line 8.

Strike: "80%"

Insert: "70%"

19. Page 7, line 10.

Strike: "Gross"

Insert: "Adjusted gross"

20. Page 7, line 14.

Strike: "a"

Insert: "an adjusted"

Strike: "3%"

Insert: "5%"

21. Page 8, line 14.

Following: "12]"

Insert: " ,"

22. Page 9.

Following: line 10

Insert: "NEW SECTION. Section 11. Tampering violation. A person who purposely or knowingly tampers with or conspires to tamper with any game or the play of any game to influence the outcome of the game is guilty of a misdemeanor."

Renumber: subsequent sections

23. Page 12, line 23.

Strike: "July 1, 1989"

Insert: "6 months after passage and approval"

And, as amended, do pass. Report adopted.

SB 18, be concurred in. Report adopted.

SB 87, be concurred in. Report adopted.

SB 182, third reading copy, be amended as follows:

1. Title, lines 5 and 6.

Strike: "REDEFINING "MENTAL ILLNESS";"

2. Page 2, lines 21 through 23.

Strike: lines 21 and 22 in their entirety through "ASSOCIATION" on line 23

Insert: "neurosis, psychoneurosis, psychopathy, psychosis, or a personality disorder"

3. Page 4, line 2.

Page 5, line 5.

Strike: "\$6,000"

Insert: "\$5,000"

4. Page 4, line 17.

Following: "~~or~~"

Insert: "35% or"

5. Page 4, line 18.

Following: "~~greater,~~"

Insert: "whichever is greater,"

6. Page 4, line 21.

Strike: "\$2,000"

Insert: "\$1,500"

7. COMMITTEE ON BUSINESS AND ECONOMIC DEVELOPMENT
STANDING COMMITTEE REPORT OF MARCH 9,
1989

Strike: Amendment No. 1 in its entirety

And, as amended, be concurred in. Report adopted.

HUMAN SERVICES AND AGING (Hansen, Chairman):
SB 70, third reading copy, be amended as follows:

3/20/89

1. Title, line 7.

Following: "A"

Strike: remainder of line 7

Insert: "JOB OPPORTUNITIES AND BASIC SKILLS TRAINING
(JOBS)"

2. Page 1, line 19.

Strike: "14"

Insert: "15"

3. Page 3, line 19.

Strike: "'Program'"

Insert: "'JOBS program' or 'program'"

Following: "the"

Insert: "job opportunities and basic skills training"

4. Page 3, line 21.

Strike: "Program"

Insert: "JOBS program"

5. Page 3, line 23.

Strike: "job search, education, training, and work"

Insert: "job opportunities and basic skills training (JOBS)"

6. Page 5, line 13.

Following: "the"

Insert: "JOBS"

7. Page 6, line 3.

Following: "in the"

Insert: "JOBS"

8. Page 7, line 6.

Following: "the"

Insert: "JOBS"

9. Page 7, line 23.

Following: "in the"

Insert: "JOBS"

10. Page 9, line 3.

Following: "the"

Insert: "JOBS"

11. Page 9.

Following: line 7

Insert: "NEW SECTION. Section 11. Performance standards — monitoring and evaluation of program. (1) In addition to standards of performance established pursuant to section 487 of the federal Family Support Act of 1988 [42 U.S.C. 687], the department shall provide standards to further measure the performance and effectiveness of the program. The standards must consist of an objective, quantifiable measure of the extent to which participation in the program increases the employment and earnings of participants and decreases their dependency on public assistance.

(2) In order to determine whether performance standards are met, the department shall monitor and evaluate the program on the basis of appropriate factors that must include the following:

(a) the placement of participants in unsubsidized employment;

(b) the retention of participants in unsubsidized employment;

(c) the increase in earnings, including hourly wages, of participants due to placement in unsubsidized employment;

(d) the reduction in the number of individuals and families receiving aid to families with dependent children; and

(e) the amount of reductions in payments for aid to families with dependent children.

(3) In monitoring and evaluating the performance of the program, the department shall determine the reasons for high and low levels of performance, administrative efficiencies, and program coordination."

Renumber: subsequent sections

12. Page 9.

Following: line 18

Insert: "(3) Where adult basic education programs exist, basic and remedial education services provided for in [section 4] must be coordinated, through contracts or cooperative agreements, with state or local agencies having responsibility for programs administered under the federal Adult Education Act, Public Law 100-297."

13. Page 12, line 15.

Following: "the"

Insert: "JOBS"

14. Page 12.

Following: line 24

Insert: "NEW SECTION. Section 18. Audit required. The legislative auditor shall conduct a performance audit of the program established in [section 3] and report the results of the audit to the 53rd legislature."

Renumber: subsequent sections

15. Page 13, line 1.

Following: "10,"

Strike: "12,"

Following: "14"

Strike: "15,"

Insert: "14 and 16"

Strike: "and"

Insert: "through"

Following: "16"

Strike: "16"

Insert: "18"

16. Page 13, line 4.

Strike: "14,"

Insert: "12, 15,"

And, as amended, be concurred in. Report adopted.

SB 99, third reading copy, be amended as follows:

1. Page 2, line 10.

Following: "section"

Strike: "11"

Insert: "10"

Following: "11,"

Insert: "Senate"

Following: "No."

Insert: "101"

2. Page 2, line 21.

Following: "If"

Insert: "Senate"

Following: "No."

Insert: "101"

And, as amended, be concurred in. Report adopted.

SB 100, third reading copy, be amended as follows:

1. Page 1, line 13.

Strike: "(1)"

2. Page 1, line 17 through page 2, line 4.

Strike: subsection (2) in its entirety

And, as amended, be concurred in. Report adopted.

SB 101, third reading copy, be amended as follows:

1. Title, line 16.

Strike: "AN"

Insert: "A DELAYED"

2. Page 5, line 8.

Following: "residence,"

Strike: "and"
Insert: "or"

3. Page 7, line 19.
Strike: "or"

4. Page 7, line 22.
Following: "employment"
Strike: "."
Insert: "; or

(iv) is unable to secure any substantial, gainful employment because:

(A) no jobs are available that a person with his work history, skills, and ability has the physical and mental ability to perform; or

(B) the state is distressed. For the purpose of this subsection (B), the state is distressed if it has an average unemployment rate of 10% or more for the 1-year period ending April 30 of the year in which the designation is made."

5. Page 8, line 10.
Strike: "16-month"
Insert: "12-month"

6. Page 8, lines 10 through 12.
Following: "period." on line 10
Strike: remainder of line 10 through line 12

7. Page 8, line 14.
Strike: "18-month"
Insert: "12-month"

8. Page 8.
Following: line 24
Insert: "(5) Assistance granted prior to January 1, 1990, may not be considered in determining eligibility."

9. Page 9, line 4.
Following: "if"
Insert: "the household is determined to be eligible under the provisions of this section."

10. Page 9.
Following: line 8
Insert: "(2) A person is eligible for general relief assistance if"
Renumber: subsequent sections

11. Page 10, line 5.
Strike: "(1)"
Insert: "(2)"

12. Page 10, line 7.
Strike: "nonmedical"

13. Page 11, line 7.
Strike: "(5)(b)"
Insert: "(6)(b)"

14. Page 12.
Following: line 24
Insert: "Eligibility for general relief medical assistance must be determined as provided in 53-3-205 and this section."

15. Page 17, line 1.

Following: "as"

Insert: "otherwise"

Following: "in"

Strike: "[section 11]"

Insert: "this chapter"

16. Page 17, line 6.

Strike: "must"

Insert: "may"

Strike: "but is not limited to"

17. Page 17, line 14.

Strike: "must"

Insert: "may"

18. Page 17, line 15.

Strike: "but is not limited to"

19. Page 22, line 22.

Strike: "In"

Insert: "Unless otherwise exempted, in"

20. Page 23, line 15.

Strike: "must"

Insert: "may"

21. Page 23.

Following: line 23

Insert: "(3) In order to encourage rehabilitation, the department may restrict services to persons suffering from drug or alcohol dependency to one intervention through the provision of services described in subsections (2)(a) through (2)(d). The department may continue to provide up to 3 months of additional benefits for those persons participating in a drug or alcohol rehabilitation program. This 3-month extension extends those limitations in [section 4]."

22. Page 25, line 23.

Strike: "July 1, 1989"

Insert: "January 1, 1990"

And, as amended, be concurred in. Report adopted.

SB 134, third reading copy, be amended as follows:

1. Page 6, line 10.

Strike: "."

2. Page 6, lines 11 through 17.

Strike: subsection (a) in its entirety

3. Page 6, line 18.

Strike: "(b)"

Insert: ","

4. Page 8.

Following: line 20

Insert: "NEW SECTION. Section 5. Coordination instruction. If House Bill No. 742 is passed and approved and if it contains a section eliminating the monthly income standard in 53-3-205, then [section 1(3) of this act] is amended so the language that reads "If the total household income, exclusive of this amount, exceeds that

set forth in the table in subsection (2)" will read "If the total household income, exclusive of this amount, exceeds the amount established by the department under subsection (2)".

Renumber: subsequent section

And, as amended, be concurred in. Report adopted.

LABOR AND EMPLOYMENT RELATIONS (Russell, Chairman): 3/20/89
SB 372, be concurred in. Report adopted.

NATURAL RESOURCES (Raney, Chairman): 3/20/89
HB 757, introduced bill, be amended as follows:

1. Page 2, line 15 through page 4, line 23.
Strike: page 2, line 15 through page 4, line 23 in their entirety
2. Page 5, line 11 through page 6, line 5.
Strike: page 5, line 11 through page 6, line 5 in their entirety
3. Page 8, lines 6 through 11.
Strike: subsection (7) in its entirety
Renumber: subsequent subsections
4. Page 9, lines 7 through 9.
Following: "advisory" on line 7
Strike: ", "
Insert: "or a"
Following: "no"
Strike: "observable effect"
Insert: "adverse response"
Following: "level"
Strike: ", " on line 7 through "level" on line 9
5. Page 10, line 1.
Strike: "acquirer"
Insert: "aquifer"
6. Page 10, line 20.
Following: "that"
Insert: ", when exceeded,"
Following: "presents a"
Insert: "potential"
7. Page 11, lines 9 and 10.
Strike: "that" on line 9 through "control" on line 10
8. Page 11, lines 13 through 15.
Following: "in ground water"
Strike: ", " on line 13 through "water" on line 15
9. Page 11, line 18.
Strike: "and"
Insert: ", "
Following: "use"
Insert: ", and the use of alternative agricultural methods"
10. Page 12, line 4.
Strike: "conducting"
Insert: "promoting"
11. Page 15, line 16.
Strike: "may"

Insert: "shall"

12. Page 16, line 14.

Strike: "(7)"

Insert: "(4)"

13. Page 16, line 16.

Following: "justified."

Insert: "Promulgated federal standards must receive preference."

Strike: "subsection (7)"

Insert: "subsections (3) and (4)"

14. Page 17, lines 8 through 25.

Strike: subsections (3) and (4) in their entirety

Re-number: subsequent subsections

15. Page 18, line 2.

Strike: "and"

Insert: "or"

16. Page 18, line 10.

Strike: "60"

Insert: "15"

17. Page 18, lines 19 and 20.

Strike: "and" on line 19 through "EPA" on line 20

18. Page 18, line 21.

Following: "EPA"

Insert: "establishes or"

19. Page 18, lines 23 through 25.

Strike: "In" on line 23 through "the" on line 25

Insert: "The"

Strike: "base" on line 25

Insert: "consider the following in adopting"

20. Page 19, line 1.

Strike: "it adopts"

Following: "subsection"

Strike: "(5) or (6) on"

Insert: "(3) or (4)"

21. Page 19, line 2.

Following: "(a)"

Insert: "effects on"

22. Page 19, line 16.

Strike: "may"

Insert: "shall"

23. Page 19, line 20.

Strike: "entering"

Insert: "to enter"

24. Page 19, line 23.

Strike: "and ground water"

25. Page 19.

Following: line 23

Insert: "(2) Any person who receives a chemical analysis indicating the presence of an agricultural chemical in ground water shall notify the department of health and environmental sciences."

Renumber: subsequent subsection

26. Page 20, line 9.

Strike: "to ground water users"

27. Page 20, line 10.

Following: "to"

Strike: "the"

Insert: "ground water"

28. Page 20, line 11.

Strike: "the"

Insert: "any"

29. Page 21, lines 1 through 18.

Strike: "to" on line 1 through "time" on line 18

30. Page 22, lines 8 and 9.

Following: "application" on line 8

Strike: "or" through "through" on line 9

Insert: ";

(b)"

31. Page 22, line 13.

Strike: "(b)"

Insert: "(c)"

32. Page 22, lines 15 through 25.

Strike: subsection (6) in its entirety

33. Page 23, line 2.

Strike: "may"

Insert: "shall"

34. Page 23, line 4.

Following: "management plan"

Insert: "to achieve the policies of [section 3]"

Following: "This plan"

Strike: "may"

Insert: "must"

35. Page 23, line 6.

Following: "practices."

Insert: "Prior to publication of the plan, the department shall provide a 30-day period for the department of health and environmental sciences to prepare and submit comments on the plan."

36. Page 23, line 7.

Strike: "(10)"

Insert: "(11)"

37. Page 23, lines 10 through 13.

Following: "area" on line 10

Strike: "." on line 10 through "criteria" on line 13

38. Page 23.

Following: line 20

Insert: "(c) when agricultural chemicals have been determined to have migrated into the ground water from the point of detection;"

Renumber: subsequent subsections

39. Page 24, line 7.

Following: "(3)"

Insert: "Any person using an agricultural chemical that is addressed by a specific agricultural chemical ground water management plan in the geographical region that is addressed by the plan shall comply with the plan."

Following: "may"

Insert: "specifically"

40. Page 24, lines 8 through 11.

Strike: lines 8 through 11 in their entirety

Insert: "who are under the plan and may inform any person about the plan."

41. Page 24.

Following: line 11

Insert: "(4) The department shall prioritize preparation of specific agricultural chemical ground water management plans in consideration of the specific circumstances of each area and within available resources."

Renumber: subsequent subsections

42. Page 24, lines 15 and 16.

Strike: "as" on line 15 through "water" on line 16

43. Page 24, line 23.

Page 24, line 25.

Page 25, line 2 (twice).

Strike: "board"

Insert: "department of health and environmental sciences"

44. Page 26, line 10.

Following: "rules;"

Strike: "and"

45. Page 26, line 11.

Following: "requirements"

Insert: "; and (k) alternative soil fertility practices"

46. Page 26, line 14.

Strike: "beneficial uses"

Insert: "benefits of appropriate use"

47. Page 26, line 22.

Strike: "is not required to"

Insert: "may"

Strike: "or"

Insert: "and"

48. Page 26, line 24 through page 27, line 7.

Strike: "until" on line 24 through "section" on line 7

Insert: "if the department and the department of health and environmental sciences determine that residues from commercial fertilizer are present in the ground water"

49. Page 27.

Following: line 22

Insert: "(14) A person who sells agricultural land that is subject to the provisions of a specific agricultural chemical ground water management plan shall provide the buyer with written notice about his obligations under the plan and shall forward a copy of the notice to

the department. The department is not responsible for enforcement of this subsection."

50. Page 28, line 1.

Following: "16.20.603,"

Insert: "16.20.1003,"

51. Page 28, line 2.

Following: "define"

Insert: "a specific agricultural chemical ground water management plan prepared pursuant to [section 12] as"

52. Page 28, line 3.

Strike: "to include"

Insert: "for"

53. Page 28, lines 5 through 7.

Strike: "that" on line 5 through "[section 12]" on line 7

54. Page 30, lines 6 through 13.

Strike: subsection (1) in its entirety

Renumber: subsequent subsections

55. Page 32, lines 4 through 8.

Strike: subsection (5) in its entirety

56. Page 33, line 21.

Strike: "may" through "violator"

Insert: "shall coordinate actions when a violator is subject"

And, as amended, do pass. Report adopted.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bill was introduced, read first time, and referred to committee:

HJR 36, introduced by D. Brown, Strizich, Raney, Darko, Gould, Vincent, T. Nelson, Stepler, Blotkamp, Menahan, Harper, Davis, Patterson, O'Keefe, J. Brown, Addy, Kimberley, Daily, Pavlovich, Stickney, Connelly, Roth, Hansen, Koehnke, Cocchiarella, Squires, McDonough, O'Connell, Wyatt, McCormick, Peck, Driscoll, Eudaily, Aafedt, Knapp, Ellison, Giacometto, Hannah, Wallin, Keller, Rice, Simpkins, Lee, Grady, referred to Committee on Judiciary

MOTIONS

Representative Boharski moved the rules be suspended to allow his vote on HB 547, second reading, to be recorded as yes. Motion carried.

Representative Boharski moved he be allowed to change his vote on SB 381, third reading, from no to yes. Motion carried.

SPECIAL ORDERS OF THE DAY

The following sponsor was added to HB 769: L. Nelson.

The following sponsor was removed from HB 779: Driscoll.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

HOUSE JOURNAL
REGULAR SESSION

Representative Harper moved the House adjourn until 9:30 a.m., Tuesday, March 21, 1989.

Motion carried.

House adjourned at 6:50 p.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

SIXTY-FIFTH LEGISLATIVE DAY

Helena, Montana
March 21, 1989

House Chambers
State Capitol

House convened at 9:36 a.m., Mr. Speaker in the Chair. Invocation by Representative Kasten. Pledge of Allegiance to the Flag.

Roll call. All members present except Compton, excused. Quorum present.

Representative Harper moved the House recess until 10:30 a.m.

Motion carried.

House recessed at 9:43 a.m.

House reconvened at 10:45 a.m. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 3/21/89
Correctly printed: HB 173, HB 234, HB 526, HB 550, HB 746,
HB 760, HJR 35.

Correctly engrossed: HB 143, HB 193, HB 233, HB 277, HB 304,
HB 329, HB 333, HB 390, HB 398, HB 507, HB 510, HB 535,
HB 547, HB 555, HB 563, HB 773.

APPROPRIATIONS (Bardanoue, Chairman): 3/21/89
HB 786, introduced bill, be amended as follows:

1. Title, line 10.

Following: "BENEFITS"

Insert: "AND FOR USE BY THE COMMITTEE ON STATE
EMPLOYEE COMPENSATION"

2. Page 14, line 13.

Strike: "9.25"

Insert: "9.30"

3. Page 14, line 14.

Strike: "9.65"

Insert: "9.70"

4. Page 14, line 15.

Strike: "10.05"

Insert: "10.10"

5. Page 14, line 16.

Strike: "10.45"

Insert: "10.50"

6. Page 14, line 17.

Strike: "10.85"

Insert: "10.90"

7. Page 14, line 18.

Strike: "11.25"

Insert: "11.30"

8. Page 14, line 19.

Strike: "11.65"

Insert: "11.70"

9. Page 14, line 20.

Strike: "12.05"

Insert: "12.10"

10. Page 14, line 21.

Strike: "12.45"

Insert: "12.50"

11. Page 14, line 22.

Strike: "12.85"

Insert: "12.90"

12. Page 14, line 23.

Strike: "13.25"

Insert: "13.30"

13. Page 14, line 24.

Strike: "13.65"

Insert: "13.70"

14. Page 17.

Following: line 24

Insert: "It is the intent of the legislature that a portion of the money appropriated to the Montana university system in House Bill No. 100 be used to fund increases in salaries for contract faculty and increases in salaries and group benefits for support staff and instructional support staff comparable to the increases provided in [this act] for other state employees.

(5) There is appropriated \$90,000 from the general fund to the department of administration for the biennium ending June 30, 1991, for use by the committee on state employee compensation provided for in [section 11]. These funds may be used for contracted services, salary and benefits for temporary staff, compensation for committee members, and other necessary expenses incurred by the committee in performing its duties as provided in [section 11]."

And, as amended, do pass. Report adopted.

ADVERSE COMMITTEE REPORT

Representative Kasten present at this time.

HB 690 - Representative Ream moved the 3/15/89 adverse committee report on HB 690 be adopted.

Representative Spaeth made a substitute motion the adverse committee report be not adopted and HB 690 be printed and placed on second reading. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Campbell, Clark, Daily, DeBruycker, DeMars, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hanson, Harrington, Hayne, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, R. Nelson, T. Nelson, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Quilici, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stepler, Stickney, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.

Total 68

Noes: Bardanouve, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Darko, Davis, Elliott, Hansen, Harper, Hoffman, Nisbet, O'Keefe, Phillips, Raney, Ream, Schye, Stang, Wyatt.

Total 22

Paired: Kasten, Aye; Elliott, No.

Excused: Compton, L. Nelson.

Total 2

Absent or not voting: Connelly, Driscoll, Grady, Iverson, Kadas, Koehnke, Ramirez, Strizich.

Total 8

Representative L. Nelson present at this time.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:

3/20/89

HB 84, introduced by Hansen
HB 185, introduced by Whalen
HB 313, introduced by Grady
HB 340, introduced by Lee
HB 355, introduced by Cohen
HB 383, introduced by Ellison
HB 406, introduced by Gould
HB 411, introduced by J. Brown
HB 466, introduced by Blotkamp
HB 557, introduced by Bachini
HB 558, introduced by Kilpatrick
HB 591, introduced by Phillips
HB 646, introduced by Simpkins
HB 662, introduced by Rice
HB 678, introduced by Gilbert
HB 711, introduced by Cobb

House bills concurred in as amended and returned to the House for concurrence in Senate amendments:

3/20/89

HB 204, introduced by Cobb
HB 307, introduced by Hoffman
HB 734, introduced by Thomas

House bill not concurred in and returned to the House:

3/20/89

HB 672, introduced by Cohen

Governor's amendments to Senate bills concurred in and transmitted to the House for concurrence:

3/20/89

SB 8, introduced by Eck
SB 38, introduced by Regan

The Senate, on 3/20/89, dissolved the conference committee on SB 330 and appointed a free conference committee to consider House amendments to SB 330.

President Galt appointed the following members:

Senator Beck, Chairman
Senator Noble
Senator Williams

MESSAGES FROM THE GOVERNOR

John Vincent
Speaker of the House
Montana House of Representatives
State Capitol
Helena, Montana 59620

March 20, 1989

Dear Representative Vincent:

Please be informed that I have signed House Bills 62, 74, 119, 186, 212, 223, 262, 297, 302, 392, 402, 417, 429, 430, 480, 533, and 624 on March 18, 1989.

Sincerely,

STAN STEPHENS
Governor

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, Montana 59620

March 20, 1989

The Honorable Jack Galt
President of the Senate
State Capitol
Helena, Montana 59620

Dear Representative Vincent and Senator Galt:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return House Bill 391, "AN ACT TO EXTEND COLLECTION OF PENALTIES AND INTEREST ON OVERDUE EMPLOYER CONTRIBUTIONS TO THE STATE UNEMPLOYMENT INSURANCE FUND FOR USE BY THE DEPARTMENT OF LABOR AND INDUSTRY TO ADMINISTER THE UNEMPLOYMENT INSURANCE LAW AND FOR PROGRAMS TO TRAIN AND RETRAIN UNEMPLOYED AND UNDEREMPLOYED PERSONS; AMENDING SECTION 3, CHAPTER 13, SPECIAL LAWS OF JUNE 1986; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE." with the attached amendments for the following reasons.

I recommend that House Bill No. 391 be amended to terminate on July 1, 1991. The bill presented to me removed a July 1, 1989 termination date.

The Department of Labor and Industry collects a penalty and interest on past-due unemployment insurance contributions. Presently, part of this money is being appropriated to the department for programs to train and retrain unemployed and underemployed persons.

Since the penalty and interest monies are being used for purposes not directly related to the administration of the unemployment insurance laws or for the payment of unemployment insurance benefits, I believe it is sound public policy that these expenditures be reviewed biennially to insure they are being used appropriately.

I urge your concurrence with these amendments.

Governor's Amendments to HB 391

1. Title, line 12.
Following: "DATE"

Insert: "AND A TERMINATION DATE"

2. Page 1, line 17.

Following: "~~termination date~~"

Insert: "— termination date"

3. Page 1, lines 18 and 19.

Following: "~~and terminates July 1, 1989~~"

Insert: "and terminates July 1, 1991"

Sincerely,

STAN STEPHENS
Governor

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, Montana 59620

3/20/89

The Honorable Jack Galt
President of the Senate
State Capitol
Helena, Montana 59620

Dear Representative Vincent and Senator Galt:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return Senate Bill 146, "AN ACT TO REVISE THE ADOPTION STATUTES TO AUTHORIZE THE DEPARTMENT OF FAMILY SERVICES TO CONTRACT WITH LICENSED SOCIAL WORKERS AND LICENSED CHILD-PLANNING AGENCIES TO CONDUCT INVESTIGATIONS CONCERNING PARENTAL ADOPTIVE PLACEMENTS AND TO CHARGE A FEE FOR SUCH INVESTIGATIONS; TO PROVIDE A STATUTORY APPROPRIATION FOR FEES RECEIVED, AND AMENDING SECTIONS 17-7-502 AND SECTION 40-8-109, MCA; AND PROVIDING AN EFFECTIVE DATE." with the attached amendments for the following reasons.

When the legislature deleted the statutory appropriation language of Section 17-7-502, MCA, it left the department without a mechanism to collect and expend funds regarding contracted services for investigations. This amendment will provide a mechanism whereby the department may collect and expend funds according to the intent of the bill.

The sponsor of SB 146 concurs in this amendment.

Governor's Amendment to SB 146

1. Page 4, line 16.

Insert: "NEW SECTION. Section 2. Adoption services account. There is an adoption services account in the special revenue fund. The fees collected by the department of family services under [this act] shall be deposited into this account and may be used by the department of family services for adoption services."

Sincerely,

STAN STEPHENS
Governor

MOTIONS

Representative Giacometto moved SB 450 be taken from the third reading board this legislative day and be placed on second reading for the purpose of amendment. Motion carried.

Representative Roth excused at this time.

Representative Pavlovich moved HB 202 be taken from the table in the Committee on Taxation and be printed and placed on second reading.

Representative Marks moved the previous question. Motion carried.

Thereupon, the motion to rerefer HB 202 carried. (61-34)

Representative Brooke moved she be allowed to change her vote on SB 105, third reading, the previous legislative day, from yes to no. Motion carried.

Representative Whalen excused at this time.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Representative Kasten excused at this time.

HB 370 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Eudaily, Gervais, Gilbert, Glaser, Gould, Grady, Guthrie, Hansen, Harper, Harrington, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Quilici, Raney, Ream, Rice, Russell, Schye, Simon, Smith, Spaeth, Squires, Stang, Stickney, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Mr. Speaker.
Total 73

Noes: Boharski, Cobb, DeBruycker, Elliott, Ellison, Giacometto, Good, Grinde, Hannah, Hanson, Hayne, Hoffman, Kasten, Keller, Peterson, Phillips, Rehberg, Simpkins, Spring, Stepler, Swift, Zook.
Total 22

Excused: Compton, Ramirez, Roth, Strizich, Whalen.
Total 5

Absent or not voting: None.
Total 0

HB 462 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Iverson, Johnson, Kilpatrick, Kimberley, Koehnke, Marks, McCormick, McDonough, Menahan, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Russell, Schye, Simon, Spaeth, Squires, Stang, Stepler, Stickney, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 69

Noes: Campbell, Clark, Cobb, DeBruycker, DeMars, Ellison, Good, Grinde, Hayne, Hoffman, Kasten, Keller, Knapp, Lee, Mercer, Owens, Patterson, Peterson, Simpkins, Smith, Spring, Swift, Swysgood, Thoft, Thomas.

Total 25

Excused: Compton, Ramirez, Roth, Strizich, Whalen.

Total 5

Absent or not voting: Kadas.

Total 1

HB 469 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Moore, L. Nelson, R. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Quilici, Raney, Ream, Rehberg, Rice, Russell, Schye, Simon, Simpkins, Spaeth, Stang, Stickney, Swift, Swysgood, Thoft, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 73

Noes: Aafedt, Boharski, Campbell, Clark, Cody, DeBruycker, Ellison, Giacometto, Guthrie, Hayne, Kasten, Mercer, Owens, Peterson, Phillips, Smith, Spring, Stepler, Thomas.

Total 19

Excused: Compton, Ramirez, Roth, Strizich, Whalen.

Total 5

Absent or not voting: Good, T. Nelson, Squires.

Total 3

HB 614 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Hansen, Hanson, Harper, Harrington, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, McCormick, McDonough, Menahan, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, Russell, Schye, Simon, Spaeth, Squires, Stickney, Westlake, Wyatt, Zook, Mr. Speaker.

Total 64

Noes: Campbell, Clark, Cobb, Ellison, Giacometto, Grinde, Guthrie, Hannah, Hayne, Hoffman, Kasten, Keller, Koehnke, Lee, Marks, Mercer, Patterson, Peterson, Rehberg, Rice, Simpkins, Smith, Spring, Stang, Stepler, Swift, Swysgood, Thoft, Thomas, Wallin.

Total 30

Excused: Compton, Ramirez, Roth, Strizich, Whalen.

Total 5

Absent or not voting: Connelly.

Total 1

SB 94 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Kilpatrick, Kimberley, Koehnke, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, Rice, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Zook, Mr. Speaker.

Total 83

Noes: Campbell, Kadas, Keller, Knapp, Lee, Marks, R. Nelson, Peterson, Rehberg, Stepler, Wyatt.

Total 11

Excused: Compton, Ramirez, Roth, Strizich, Whalen.

Total 5

Absent or not voting: Blotkamp.

Total 1

SB 105 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Bradley, J. Brown, Campbell, Clark, Daily, DeBruycker, Ellison, Eudaily, Giacometto, Gilbert, Gould, Grady, Grinde, Guthrie, Harper, Harrington, Hoffman, Johnson, Kasten, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, Menahan, Mercer, Moore, R. Nelson, T. Nelson, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ream, Rehberg, Rice, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Swift, Swysgood, Thomas, Wallin, Zook, Mr. Speaker.

Total 57

Noes: Blotkamp, Boharski, Brooke, D. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Darko, Davis, DeMars, Driscoll, Elliott, Gervais, Glaser, Good, Hannah, Hansen, Hanson, Hayne, Iverson, Kadas, Koehnke, McDonough, L. Nelson, Nisbet, O'Keefe, Raney, Russell, Schye, Stang, Stepler, Stickney, Thoft, Westlake, Wyatt.

Total 37

Excused: Compton, Ramirez, Roth, Strizich, Whalen.

Total 5

Absent or not voting: Keller.

Total 1

SB 106 concurred in as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cody, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Schye, Simon, Simpkins,

Smith, Spaeth, Spring, Squires, Stang, Steppler, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.
Total 87

Noes: Addy, Brooke, Cocchiarella, Cohen, Kadas, Kimberley, Russell, Stickney.
Total 8

Excused: Compton, Ramirez, Roth, Strizich, Whalen.
Total 5

Absent or not voting: None.
Total 0

SB 107 concurred in as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, D. Brown, J. Brown, Campbell, Clark, Cobb, Cody, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harrington, Hayne, Hoffman, Iverson, Kasten, Keller, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Rehberg, Rice, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.
Total 78

Noes: Addy, Boharski, Bradley, Brooke, Cocchiarella, Cohen, Driscoll, Harper, Johnson, Kadas, Kilpatrick, Kimberley, Koehnke, O'Keefe, Ream, Schye.
Total 16

Excused: Compton, Ramirez, Roth, Strizich, Whalen.
Total 5

Absent or not voting: Good.
Total 1

SB 108 concurred in as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cody, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Rehberg, Rice, Schye, Simon, Simpkins, Spaeth, Squires, Stang, Steppler, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.
Total 81

Noes: Addy, Brooke, Cocchiarella, Cohen, Kadas, Kilpatrick, Kimberley, Koehnke, Ream, Russell, Spring, Stickney.
Total 12

Excused: Compton, Ramirez, Roth, Strizich, Whalen.
Total 5

Absent or not voting: Owens, Smith.

Total 2

SB 196 concurred in as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, DeMars, Eudaily, Gervais, Good, Gould, Grady, Harper, Harrington, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, Rice, Russell, Schye, Simpkins, Spaeth, Squires, Stickney, Swift, Thomas, Wallin, Wyatt, Zook, Mr. Speaker.

Total 60

Noes: Aafedt, Blotkamp, Boharski, Campbell, Davis, DeBruycker, Driscoll, Elliott, Ellison, Giacometto, Gilbert, Glaser, Grinde, Guthrie, Hannah, Hansen, Hanson, Hayne, Kadas, Knapp, Koehnke, Lee, Owens, Patterson, Peterson, Phillips, Rehberg, Smith, Spring, Stang, Stepler, Swysgood, Thoft, Westlake.

Total 34

Excused: Compton, Ramirez, Roth, Strizich, Whalen.

Total 5

Absent or not voting: None.

Total 0

Abstained: Simon.

SB 427 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Boharski, Campbell, Cobb, Gilbert, Kasten.

Total 5

Excused: Compton, Ramirez, Roth, Strizich, Whalen.

Total 5

Absent or not voting: None.

Total 0

SB 437 concurred in as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley,

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Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Compton, Ramirez, Roth, Strizich, Whalen.

Total 5

Absent or not voting: Aafedt.

Total 1

HJR 30 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Ellison, Gilbert, O'Keefe.

Total 3

Excused: Compton, Ramirez, Roth, Strizich, Whalen.

Total 5

Absent or not voting: Marks.

Total 1

Representative Whalen present at this time.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Daily in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 100 - Representative Bardanouve moved HB 100 do pass.

Representative Swift made a substitute motion to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative Swift moved HB 100, second reading copy, be amended. Amendment failed. (25-69)

Representative Roth present at this time.

Representative O'Keefe moved HB 100, second reading copy, be amended as follows:

1. Page A-5, line 18.

Strike: "50,604"

Insert: "10,000"

LFA will amend totals

Amendment passed as follows:

Ayes: Addy, Bachini, Bardanouve, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cohen, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Gervais, Giacometto, Good, Grady, Grinde, Guthrie, Hannah, Kasten, Kilpatrick, Knapp, Koehnke, Lee, McCormick, Menahan, L. Nelson, O'Keefe, Patterson, Pavlovich, Peck, Raney, Ream, Rehberg, Russell, Schye, Simon, Spaeth, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Wallin, Westlake, Whalen, Mr. Speaker.

Total 52

Noes: Aafedt, Blotkamp, Boharski, Bradley, Clark, Cody, Daily, Elliott, Ellison, Eudaily, Gilbert, Glaser, Gould, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kimberley, Marks, McDonough, Mercer, Moore, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Peterson, Phillips, Quilici, Rice, Roth, Simpkins, Smith, Spring, Squires, Swift, Thomas, Wyatt, Zook.

Total 45

Excused: Compton.

Total 1

Absent or not voting: Harrington, Ramirez.

Total 2

Representative Pavlovich excused at this time.

The House stood at ease from 12:30 p.m. until 1:30 p.m.

Representatives Clark and Russell excused at this time.

Representative Bardanouve moved HB 100, second reading copy, be amended. Amendment failed. (36-59)

Representative Stang moved HB 100, second reading copy, be amended. Amendment failed. (30-64)

Representative Harrington excused at this time.

Representative Simon moved HB 100, second reading copy, be amended as follows:

1. Page A-10, line 23.

Strike: "9,489,818"

Insert: "9,439,818"

LFA will amend totals

Amendment passed as follows:

Ayes: Aafedt, Bardanouve, Blotkamp, Boharski, Brooke, Campbell, Cobb, Cohen, Compton, Daily, DeBruycker, Driscoll, Elliott, Eudaily, Giacometto, Gilbert, Glaser, Good, Guthrie, Harper, Hoffman, Kadas, Kasten, Lee, Marks, Mercer, L. Nelson, R. Nelson, Owens, Patterson, Peck, Phillips,

Ramirez, Ream, Rehberg, Rice, Roth, Simon, Simpkins, Smith, Spaeth, Steppler, Stickney, Swift, Thomas, Wallin, Westlake, Whalen, Mr. Speaker.
Total 49

Noes: Addy, Bachini, Bradley, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Connelly, Darko, Davis, DeMars, Gervais, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Hayne, Iverson, Johnson, Keller, Kilpatrick, Kimberley, Knapp, McCormick, McDonough, T. Nelson, Nisbet, O'Connell, O'Keefe, Peterson, Quilici, Raney, Schye, Spring, Squires, Stang, Strizich, Swysgood, Thoft, Wyatt, Zook.
Total 44

Paired: Compton, Ramirez, Thomas, Ayes; Clark, Raney, Swysgood, Noes.

Excused: Harrington, Pavlovich, Russell.

Total 3

Absent or not voting: Ellison, Koehnke, Menahan, Moore.

Total 4

Representative Gervais moved HB 100, second reading copy, be amended.

The question was divided, and amendment No. 2 failed. (31-59)

Thereafter, amendment No. 1 failed. (13-74)

Representative Swysgood moved HB 100, second reading copy, be amended as follows:

1. Page A-12, line 7.

Strike: "116,424 349,272"

Insert: "232,848 232,848"

LFA will amend totals

Amendment passed as follows:

Ayes: Addy, Bachini, Blotkamp, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Connelly, Daily, Darko, Davis, DeMars, Eudaily, Gervais, Glaser, Good, Gould, Grady, Grinde, Hannah, Hansen, Hoffman, Iverson, Johnson, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, R. Nelson, T. Nelson, Nisbet, O'Connell, Peck, Peterson, Raney, Ream, Rice, Roth, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake, Zook, Mr. Speaker.
Total 61

Noes: Aafedt, Bardanouve, Bradley, Campbell, Cody, Cohen, DeBruycker, Driscoll, Elliott, Ellison, Giacometto, Gilbert, Guthrie, Harper, Hayne, Kadas, Kasten, Keller, Lee, L. Nelson, O'Keefe, Owens, Patterson, Phillips, Quilici, Rehberg, Schye, Smith, Steppler, Thomas, Whalen, Wyatt.
Total 32

Excused: Clark, Compton, Harrington, Pavlovich, Ramirez, Russell.

Total 6

Absent or not voting: Boharski.

Total 1

Representative Stang moved HB 100, second reading copy, be amended. Amendment failed. (35-56)

Representatives Clark and Harrington present at this time.

Representative Schye moved HB 100, second reading copy, be amended as follows:

1. Page A-5, line 24.

Strike: "93,879"

Insert: "493,879"

2. Page A-6.

Following: line 24

Insert: "Of item 3, \$350,000 may be expended only for a different airplane for the governor."

LFA will amend totals

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Cocchiarella, Cody, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Good, Gould, Grinde, Hansen, Hanson, Harper, Harrington, Hoffman, Johnson, Kadas, Kilpatrick, Kimberley, Koehnke, McCormick, McDonough, Menahan, Moore, L. Nelson, T. Nelson, O'Keefe, Owens, Patterson, Peck, Peterson, Quilici, Raney, Ream, Russell, Schye, Simon, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Westlake, Wyatt, Mr. Speaker.

Total 64

Noes: D. Brown, Campbell, Clark, Cobb, Cohen, Eudaily, Glaser, Grady, Guthrie, Hannah, Hayne, Kasten, Keller, Knapp, Lee, Marks, Mercer, R. Nelson, Nisbet, Phillips, Ramirez, Rehberg, Rice, Roth, Simpkins, Smith, Swysgood, Thoft, Thomas, Wallin, Whalen, Zook.

Total 32

Paired: Menahan, Aye; Ramirez, No.

Excused: Compton, Pavlovich.

Total 2

Absent or not voting: Iverson, O'Connell.

Total 2

Representative Elliott excused at this time.

Representative Connelly moved HB 100, second reading copy, be amended. Amendment failed. (37-43)

Representative Pavlovich present at this time.

Representative Driscoll moved HB 100, second reading copy, be amended as follows:

1. Page A-20, line 19.

Strike: "867,647 869,735"

Insert: "747,122 748,823"

LFA will amend totals

Amendment passed as follows:

Ayes: Aafedt, Bachini, Blotkamp, Boharski, Brooke, D. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Driscoll, Gervais, Giacometto, Glaser, Good, Gould, Guthrie, Hannah, Hansen, Hanson, Harrington, Hoffman, Kilpatrick, Kimberley, Koehnke, Lee, McCormick,

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Menahan, Mercer, Moore, R. Nelson, O'Connell, Owens, Pavlovich, Phillips, Quilici, Ramirez, Raney, Ream, Schye, Simon, Smith, Spring, Squires, Stang, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 57

Noes: Addy, Bardanouve, Bradley, J. Brown, Cobb, DeMars, Ellison, Eudaily, Gilbert, Grady, Grinde, Harper, Hayne, Iverson, Johnson, Kadas, Kasten, Keller, Knapp, Marks, McDonough, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Rehberg, Rice, Russell, Simpkins, Spaeth, Steppler, Stickney, Swysgood, Thoft, Zook.

Total 37

Paired: Ramirez, Aye; Harper, No.

Excused: Compton, Elliott.

Total 2

Absent or not voting: Davis, DeBruycker, Patterson, Roth.

Total 4

Representatives Whalen and Pavlovich excused at this time.

Representative Ramirez present at this time.

Representative Boharski moved HB 100, second reading copy, be amended. Amendment failed. (22-68)

Representative Darko moved HB 100, second reading copy, be amended. Amendment failed. (39-53)

Representative O'Keefe moved HB 100, second reading copy, be amended as follows:

1. Page B-2, line 6.

Strike: "541,518"

Insert: "502,312"

LFA will amend totals

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Boharski, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Eudaily, Gervais, Giacometto, Glaser, Good, Grady, Grinde, Guthrie, Hannah, Hanson, Harrington, Hayne, Hoffman, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Peck, Quilici, Ramirez, Raney, Ream, Rehberg, Russell, Schye, Simon, Smith, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 74

Noes: Blotkamp, Campbell, Clark, Ellison, Gould, Hansen, Harper, Iverson, Keller, Marks, Phillips, Rice, Simpkins, Spring.

Total 14

Excused: Compton, Elliott, Pavlovich, Whalen.

Total 4

Absent or not voting: Bardanouve, Bradley, Driscoll, Gilbert, O'Connell, Peterson, Roth, Thomas.

Total 8

Representative D. Brown moved HB 100, second reading copy, be amended. Amendment failed. (42-51)

Representative D. Brown moved HB 100, second reading copy, be amended as follows:

1. HB 100 Narrative, page B-8.

Strike: "It is the intent of the legislature that the \$200,000 annual appropriation (program expansion #1) is for pending civil action against the Atlantic Richfield Company for release of hazardous substances in the Clark Fork River basin."

Insert: "It is the intent of the legislature that the \$200,000 annual appropriation (program expansion #1) is for civil action, including action to pursue recovery of natural resource damages, against the Atlantic Richfield Company for release of hazardous substances in the Clark Fork River basin and against other responsible parties at other Superfund sites."

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Ellison, Eudaily, Gervais, Glaser, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hoffman, Kadas, Keller, Kilpatrick, Kimberley, McCormick, McDonough, Menahan, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Peck, Peterson, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stepler, Stickney, Strizich, Swysgood, Thoft, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 73

Noes: Campbell, Clark, Giacometto, Gilbert, Good, Gould, Hayne, Kasten, Lee, Marks, Mercer, Phillips, Ramirez, Swift, Thomas.

Total 15

Excused: Compton, Elliott, Pavlovich, Whalen.

Total 4

Absent or not voting: Hannah, Iverson, Johnson, Knapp, Koehnke, O'Connell, Patterson, Stang.

Total 8

Representative Peterson moved HB 100, second reading copy, be amended. Amendment failed. (40-48)

Representative Boharski moved HB 100, second reading copy, be amended. Amendment failed. (24-70)

Representative Bardanouve moved HB 100, second reading copy, be amended. Amendment failed. (37-54)

Representative Whalen present at this time.

Representative Koehnke moved HB 100, second reading copy, be amended. Amendment failed. (35-60)

Representative Cohen moved HB 100, second reading copy, be amended as follows:

1. Page C-5, line 24.

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Strike: "5,564,208 5,412,359"
 Insert: "5,606,971 5,469,883"

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Daily, Darko, Davis, DeMars, Driscoll, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, Rehberg, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
 Total 84

Noes: Campbell, Cobb, DeBruycker, Giacometto, Hannah, Keller, Knapp, Lee, Marks, Phillips.
 Total 10

Excused: Compton, Elliott.
 Total 2

Absent or not voting: Connelly, Koehnke, Ramirez, Rice.
 Total 4

Representatives Cocchiarella, Driscoll, Gilbert, Kilpatrick, McCormick, O'Keefe, Ream, Rice, Russell, Simpkins, Smith, Squires, and Thomas excused at this time.

Representative Swysgood moved HB 100, second reading copy, be amended. Amendment failed. (37-43)

Representative Pavlovich present at this time.

Representative Whalen excused at this time.

Representative Ellison moved HB 100, second reading copy, be amended as follows:

1. Page C-12.

Following: line 22

Insert: "The appropriation for item 7b must only be expended to assist in the development of shooting ranges."

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Ellison, Eudaily, Gervais, Giacometto, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Kadas, Kasten, Keller, Kimberley, Knapp, Koehnke, Lee, Marks, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Schye, Simon, Spaeth, Spring, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake, Wyatt, Mr. Speaker.
 Total 77

Noes: Brooke.

Total 1

Excused: Cocchiarella, Compton, Driscoll, Elliott, Gilbert, Glaser, Kilpatrick, McCormick, O'Keefe, Pavlovich, Ream, Rice, Russell, Simpkins, Smith, Squires, Thomas, Whalen.

Total 18

Absent or not voting: Johnson, Moore, Roth, Zook.

Total 4

Representative Harrington moved HB 100, second reading copy, be amended as follows:

1. Page C-16, line 15.

Strike: "94,181 740,059 834,240 93,241 723,226 816,467"

Insert: "99,181 740,059 834,240 98,241 723,226 816,467"

LFA will amend totals

Amendment passed as follows:

Ayes: Addy, Bachini, Bardanoue, Brooke, D. Brown, J. Brown, Cobb, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Ellison, Eudaily, Gervais, Grady, Hansen, Hanson, Harrington, Hoffman, Iverson, Johnson, Kadas, Kimberley, Koehnke, McDonough, Menahan, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, Patterson, Peck, Phillips, Quilici, Raney, Schye, Spaeth, Stang, Stickney, Strizich, Wallin, Westlake, Zook, Mr. Speaker.

Total 49

Noes: Aafedt, Boharski, Campbell, Giacometto, Gilbert, Good, Gould, Grinde, Guthrie, Hannah, Hayne, Kasten, Keller, Knapp, Marks, Mercer, R. Nelson, Owens, Peterson, Ramirez, Rehberg, Roth, Stepler, Swift, Swysgood, Thoft, Wyatt.

Total 27

Paired: Quilici, Aye; Gilbert, No.

Excused: Cocchiarella, Compton, Driscoll, Elliott, Kilpatrick, McCormick, O'Keefe, Pavlovich, Ream, Rice, Russell, Simpkins, Smith, Squires, Thomas, Whalen.

Total 16

Absent or not voting: Blotkamp, Bradley, Clark, Glaser, Harper, Lee, Simon, Spring.

Total 8

Representative Spaeth moved HB 100, second reading copy, be amended as follows:

1. Page C-21.

Following: line 8

Insert: "All income deposited to the science and technology development special revenue account created in HB 683 is appropriated to the Montana board of science and technology development."

2. Narrative Page C-150.

Amend the narrative on page C-150 to increase the authorized FTE from 3.0 to 6.0 and to adjust the line items accordingly. There is no increase in total funds requested.

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Boharski, Bradley, Brooke, J. Brown, Campbell, Cobb, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Ellison, Eudaily, Gervais, Giacometto, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kimberley, Knapp, Koehnke, Lee, Marks, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Roth, Schye, Simon, Spaeth, Spring, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.
Total 78

Noes: None.
Total 0

Excused: Cocchiarella, Compton, Driscoll, Elliott, Gilbert, Glaser, Kilpatrick, McCormick, O'Keefe, Pavlovich, Ream, Rice, Russell, Simpkins, Smith, Squires, Thomas, Whalen.
Total 18

Absent or not voting: Blotkamp, D. Brown, Clark, Harrington.
Total 4

Representative Grady moved HB 100, second reading copy, be amended as follows:

1. Page D-3, line 7.
Strike: line 7 in its entirety

2. Page D-3, lines 9 and 10.
Strike: in their entirety

3. Page D-3, line 8.
Strike: "4,042,659 4,043,395"
Insert: "4,144,909 4,249,940"

4. Page D-4, line 19.
Strike: line 19 in its entirety

LFA will amend totals

Amendment passed as follows:

Ayes: Addy, Bachini, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Davis, DeMars, Driscoll, Gervais, Gould, Grady, Hansen, Harper, Harrington, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, McCormick, McDonough, Menahan, Moore, L. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peterson, Quilici, Raney, Russell, Schye, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Westlake, Whalen, Wyatt, Mr. Speaker.
Total 50

Noes: Aafedt, Bardanouve, Boharski, Campbell, Clark, Cobb, DeBruycker, Ellison, Eudaily, Giacometto, Gilbert, Good, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Iverson, Kasten, Keller, Koehnke, Lee, Marks, Mercer, R. Nelson, T. Nelson, Patterson, Peck, Phillips, Ramirez, Rehberg, Roth, Simon, Spring, Swift, Swysgood, Thoft, Thomas, Wallin, Zook.
Total 41

Paired: Addy, Cocchiarella, Driscoll, Kadas, Kilpatrick, McCormick, O'Keefe, Pavlovich, Russell, Squires, Whalen, Ayes; Aafedt, Giacometto,

Gilbert, Hannah, Marks, R. Nelson, T. Nelson, Rehberg, Roth, Spring, Thomas, Noes.

Excused: Compton, Elliott, Glaser, Ream, Rice, Simpkins, Smith.
Total 7

Absent or not voting: Darko, Owens.
Total 2

Representative Menahan moved HB 100, second reading copy, be amended as follows:

1. Page D-4, line 5.
Strike: "165,085 159,030"
Insert: "171,656 157,025"

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, D. Brown, Cody, Cohen, Connelly, Daily, Darko, DeMars, Ellison, Eudaily, Gervais, Gould, Grady, Hansen, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Kimberley, McDonough, Menahan, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, Peck, Quilici, Raney, Schye, Spaeth, Stang, Stickney, Strizich, Wallin, Westlake, Mr. Speaker.
Total 44

Noes: Boharski, Brooke, J. Brown, Campbell, Clark, Cobb, Davis, DeBruycker, Giacometto, Good, Grinde, Guthrie, Hannah, Hanson, Hayne, Kasten, Keller, Knapp, Koehnke, Lee, Marks, Mercer, R. Nelson, Owens, Patterson, Peterson, Phillips, Ramirez, Rehberg, Roth, Simon, Spring, Stepler, Swift, Swysgood, Thoft, Zook.
Total 37

Excused: Cocchiarella, Compton, Driscoll, Elliott, Gilbert, Glaser, Kilpatrick, McCormick, O'Keefe, Pavlovich, Ream, Rice, Russell, Simpkins, Smith, Squires, Thomas, Whalen.
Total 18

Absent or not voting: Wyatt.
Total 1

Representatives Cocchiarella and Ream present at this time.

Representative Darko moved HB 100, second reading copy, be amended as follows:

1. Page F-4, line 5.
Strike: "32,817 32,868"
Insert: "26,117 26,168"

LFA will amend totals

Amendment passed as follows:

Ayes: Aafedt, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cody, Connelly, Daily, Darko, DeBruycker, DeMars, Gervais, Giacometto, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Kasten, Keller, Knapp, Lee, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, O'Connell, Owens, Patterson, Peterson, Phillips, Ramirez, Raney, Rehberg, Schye, Simon, Spaeth, Spring, Stang, Strizich, Thoft, Westlake, Wyatt, Zook, Mr. Speaker.
Total 55

March 21, 1989

Noes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, Cocchiarella, Cohen, Davis, Ellison, Eudaily, Harrington, Johnson, Kadas, Kimberley, Marks, McDonough, Menahan, Nisbet, Peck, Quilici, Ream, Roth, Steppler, Stickney, Swift, Swysgood, Wallin.

Total 27

Excused: Compton, Driscoll, Elliott, Gilbert, Glaser, Kilpatrick, McCormick, O'Keefe, Pavlovich, Rice, Russell, Simpkins, Smith, Squires, Thomas, Whalen.

Total 16

Absent or not voting: Grady, Koehnke.

Total 2

Representative Peck moved HB 100, second reading copy, be amended as follows:

1. Page F-10, line 23.

Strike: "375,044 374,364"

Insert: "390,104 389,395"

LFA will amend totals.

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Connelly, Daily, Darko, Davis, DeMars, Ellison, Eudaily, Gervais, Gould, Grady, Grinde, Guthrie, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Kadas, Kimberley, Knapp, Marks, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, O'Connell, Owens, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Schye, Simon, Spaeth, Spring, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 64

Noes: Boharski, Cohen, DeBruycker, Giacometto, Good, Hannah, Kasten, Keller, Lee, Patterson, Phillips, Rehberg, Stang.

Total 13

Excused: Compton, Driscoll, Elliott, Gilbert, Glaser, Kilpatrick, McCormick, O'Keefe, Pavlovich, Rice, Russell, Simpkins, Smith, Squires, Thomas, Whalen.

Total 16

Absent or not voting: Bardanouve, D. Brown, Hansen, Johnson, Koehnke, Nisbet, Roth.

Total 7

Representative Simon moved HB 100, second reading copy, be amended. Amendment failed. (26-56)

Representative Kadas moved HB 100, second reading copy, be amended. Amendment failed. (48-50)

Representative O'Keefe present at this time.

Representative Kadas moved HB 100, second reading copy, be amended as follows:

1. Page F-11, line 23 under Fiscal 1991 General Fund.

Insert: "265,328"

2. Page F-13, line 4 under Fiscal 1991 General Fund.

Insert: "217,252"

3. Page F-13, line 25.

Strike: "266,950"

Insert: "299,910"

4. Page F-15, line 4.

Strike: "276,583"

Insert: "284,738"

5. Page F-15, line 23.

Strike: "164,133"

Insert: "183,427"

6. Page F-16, line 20.

Strike: "468,628"

Insert: "530,170"

Amendment passed as follows:

Ayes: Addy, Bachini, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Gould, Hansen, Harper, Harrington, Johnson, Kadas, Kilpatrick, Kimberley, McCormick, McDonough, Menahan, Moore, L. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, Russell, Schye, Spaeth, Squires, Stang, Stickney, Strizich, Swysgood, Wallin, Whalen, Wyatt, Mr. Speaker.

Total 52

Noes: Aafedt, Bardanouve, Boharski, Campbell, Clark, Cobb, Compton, DeBruycker, Giacometto, Gilbert, Glaser, Good, Grady, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Iverson, Kasten, Knapp, Lee, Marks, Mercer, R. Nelson, T. Nelson, Owens, Patterson, Peterson, Phillips, Ramirez, Rehberg, Rice, Roth, Simon, Simpkins, Smith, Spring, Steppler, Swift, Thoft, Thomas, Westlake, Zook.

Total 45

Paired: Brooke, Cocchiarella, Cody, Darko, Driscoll, Elliott, Kilpatrick, McCormick, Nisbet, O'Keefe, Pavlovich, Ream, Russell, Schye, Squires, Whalen, Ayes; Compton, Giacometto, Gilbert, Glaser, Hannah, Hoffman, Marks, Ramirez, Rehberg, Rice, Roth, Simon, Simpkins, Smith, Swift, Thomas, Noes.

Excused: None.

Total 0

Absent or not voting: Ellison, Keller, Koehnke.

Total 3

Representatives Driscoll, Glaser, Kilpatrick, McCormick, Pavlovich, Rice, Russell, Simpkins, Smith, and Squires present at this time.

Representative Gould moved HB 100, second reading copy, be amended as follows:

1. Page F-12.

Following: line 20

Insert: "3. Pharmacy Accreditation

25,000 (general fund) 25,000 (general fund)"

Renumber: subsequent items

2. Page F-13, line 17.

Strike: "9"
Insert: "10"

3. Page F-13, line 18.

Strike: "8"
Insert: "7"

4. Page F-13.

Following: line 18

Insert: "Up to \$25,000 per year of current restricted private donations for the pharmacy program accreditation are appropriated."

LFA will amend totals

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Ellison, Eudaily, Gervais, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Marks, McCormick, McDonough, Menahan, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake, Wyatt, Mr. Speaker.
Total 80

Noes: Boharski, Campbell, Cobb, DeBruycker, Giacometto, Hanson, Kasten, Lee, Mercer, O'Keefe, Owens, Ramirez, Roth, Zook.
Total 14

Excused: Compton, Elliott, Gilbert, Thomas, Whalen.
Total 5

Absent or not voting: Koehnke.
Total 1

Representative Thomas present at this time.

Representative Aafedt moved HB 100, second reading copy, be amended. Amendment failed. (33-65)

Representative Lee moved HB 100, second reading copy, be amended. Amendment failed. (39-57)

Representative Aafedt moved HB 100, second reading copy, be amended. Amendment failed. (47-51)

Representative Bardanouve moved HB 100, as amended, do pass. Motion carried as follows:

Ayes: Bardanouve, Blotkamp, Bradley, Brooke, J. Brown, Cody, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Eudaily, Gervais, Gould, Grady, Harper, Harrington, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Marks, McCormick, McDonough, Menahan, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Quilici, Raney, Rice, Russell, Schye, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Wallin, Westlake, Wyatt.
Total 53

Noes: Aafedt, Addy, Bachini, Boharski, D. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, DeBruycker, Ellison, Giacometto, Glaser, Good,

Grinde, Guthrie, Hannah, Hansen, Hanson, Hayne, Hoffman, Kasten, Lee, Mercer, Owens, Patterson, Peck, Peterson, Phillips, Ramirez, Ream, Rehberg, Roth, Simon, Simpkins, Smith, Spring, Swift, Thomas, Zook, Mr. Speaker.

Total 42

Excused: Compton, Elliott, Gilbert, Whalen.

Total 4

Absent or not voting: Koehnke.

Total 1

Representative Harper moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Daily moved the adoption of the committee report. Report adopted. (58-36)

MOTIONS

Representative Lee moved he be allowed to change his vote on HB 100, amendment No. 2, second reading, from no to yes, and his vote on HB 100, amendment No. 22, second reading, from yes to no. Motion carried.

Representative Davis moved he be allowed to change his vote on SB 105, third reading, from yes to no. Motion carried.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

3/21/89

Correctly printed: HB 757, HB 765, HB 786.

Correctly engrossed: HB 56.

Correctly enrolled: HB 101, HB 231, HB 251, HB 317, HB 351, HB 368, HB 375, HB 407, HB 438, HB 505, HB 598, HB 679, HB 680, HJR 25.

Examined by the sponsors and found to be correct:

HB 101 - Daily

HB 231 - D. Brown

HB 251 - Swysgood

HB 317 - Eudaily

HB 351 - Strizich

HB 368 - Cocchiarella

HB 375 - Gould

HB 407 - Addy

HB 438 - Gould

HB 505 - Schye

HB 598 - Strizich

HB 679 - Grady

HB 680 - Grady

HJR 25 - D. Brown

Signed by the Speaker at 11:00 a.m., 3/21/89: HB 1, HB 2, HB 43, HB 69, HB 128, HB 151, HB 192, HB 201, HB 239, HB 252, HB 253, HB 278, HB 308, HB 321, HB 326, HB 347, HB 365, HB 372, HB 374, HB 388, HB 419, HB 434, HB 446, HB 449, HB 467, HB 570, HB 573, SB 16, SB 56, SB 84, SB 237, SB 387.

Signed by the Speaker at 2:00 p.m., 3/21/89: HB 101, HB 251, HB 317, HB 368, HB 407, HB 438, HB 505.

Signed by the Speaker at 6:45 p.m., 3/21/89: HB 231, HB 351, HB 375, HB 598, HB 679, HB 680, HJR 25.

APPROPRIATIONS (Bardanoue, Chairman):

3/21/89

HB 200, second reading copy, be amended as follows:

1. Title, line 18.
Following: "PROVIDING"
Insert: "AN"
Following: "EFFECTIVE"
Strike: "DATES"
Insert: "DATE AND A TERMINATION DATE."
2. Page 12, line 17.
Strike: "(f)"
Renumber: subsequent subsections
3. Page 12, line 24.
Strike: line 24 on page 12 through line 6 on page 13
4. Page 19.
Following: line 15
Insert: "NEW SECTION. Section 18. Termination date. [Section 5] terminates June 30, 1991."

And, as amended, do pass. Report adopted.

HB 619, introduced bill, be amended as follows:

DEPARTMENT OF ADMINISTRATION

1. Page 2.
Following: line 13
Insert: "Tort Claims 1989 988,000 Proprietary"

DEPARTMENT OF HIGHWAYS

2. Page 2, line 17.
Strike: "State Special"
Insert: "Proprietary"
3. Page 2.
Following: line 23
Insert: "Maintenance
Winter Maintenance 1989 1,500,000 State Special"

4. Page 2.
Following: line 25
Insert: "The department is authorized to provide an interentity loan from the highway earmarked revenue account in the state special revenue fund to the motor pool internal service account in the proprietary fund. This interentity loan authorization is effective upon passage and must be repaid to the highway earmarked revenue account no later than June 30, 1993."

DEPARTMENT OF STATE LANDS

5. Page 3.
Following: line 6
Insert: "Bond Forfeitures 1989 34,928 State Special
Bond Forfeitures 1989 2,000 State Special Forestry Division
Pass-Through 1989 85,000 Federal Special"

DEPARTMENT OF COMMERCE

Aeronautics

6. Page 3, line 9.

Strike: "65,000"

Insert: "81,000"

7. Page 3.

Following: line 9

Insert: "The unexpended fiscal year 1989 federal aviation administration grant authority is reappropriated for fiscal year 1990."

Transportation

8. Page 3.

Following: line 14

Insert: "Transportation/UMTA 1989 50,000 Federal Special
The unexpended fiscal year 1989 federal UMTA grant authority is reappropriated for fiscal year 1990."

9. Page 3.

Following: line 16

Insert: "DEPARTMENT OF AGRICULTURE

Agricultural Development

The unexpended fiscal year 1989 ag marketing federal grant authority is reappropriated for fiscal year 1990."

DEPARTMENT OF INSTITUTIONS

Corrections Division

10. Page 3, line 23 through page 4, line 2.

Strike: page 3, line 23 through page 4, line 2 in their entirety

MONTANA ARTS COUNCIL

11. Page 4.

Following: line 8

Insert: "The unexpended fiscal year 1989 national endowment for the arts grant is reappropriated for fiscal year 1990."

DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES

Centralized Services Division

12. Page 5.

Following: line 12

Insert: "Social Security
Contract 1989 15,600 Federal Special"

DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES

Assistance Payments

13. Page 5.

Following: line 19

Insert: "WIN Demo 1989 206,364 Federal Special"

Vocational Rehabilitation

14. Page 5.

Following: line 21

Insert: "Supported Employment 1989 193,958 Federal Special"

DEPARTMENT OF FAMILY SERVICES

15. Page 6.

Following: line 2

Insert: "DEPARTMENT OF FAMILY SERVICES

Refugee 1989 127,422 Federal Special

The unexpended fiscal year 1989 refugee grant authority is reappropriated for fiscal year 1990."

16. Page 6.

Following: line 5

Insert: "SHEEO GRANT 1989- 15,000 Other Special

MONTANA UNIVERSITY SYSTEM

Great Falls Vo-Tech 1989-111,148 Current Unrestricted

Eastern Montana College 1989-225,200 Current Unrestricted

Western Montana College 1989- 68,808 Current Unrestricted

Agricultural Experiment

Station 1989-175,515 Current Unrestricted"

And, as amended, do pass. Report adopted.

HB 763, introduced bill, be amended as follows:

1. Page 2, line 10.

Following: "of"

Strike: "500,000"

Insert: "100,000"

And, as amended, do pass. Report adopted.

HB 768, introduced bill, be amended as follows:

1. Page 2, line 8.

Strike: "373,336"

Insert: "262,201"

2. Page 2, line 9.

Strike: "380,175"

Insert: "269,040"

And, as amended, do pass. Report adopted.

HUMAN SERVICES AND AGING (Hansen, Chairman):

3/21/89

SB 128, third reading copy, be amended as follows:

1. Title, line 9.

Following: "PROGRAM;"

Insert: "TO APPROPRIATE FUNDS FOR ADMINISTRATION OF
THE PROGRAM;"

2. Title, line 10.

Strike: "AN"

Insert: "A DELAYED"

3. Page 1, line 16.

Strike: "total,"

4. Page 2, line 17 through page 3, line 7.

Strike: subsections (2) and (3) in their entirety

Renumber: subsequent subsections

5. Page 3, line 17.

Strike: "work"

Insert: "workfare"

6. Page 3.

Following: line 22

Insert: "In addition, the program may include:

(1) remedial education and job skills training, but only if it is necessary for the recipient to become employed. Whenever possible, it is intended that services be provided through existing, local adult basic education programs and programs administered under the federal Job Training Partnership Act.

(2) active daily involvement of recipients in a combination of employment-related activities in order to enhance self-motivation and to increase job placement;

(3) county workfare, but only in combination with other employment assistance, such as job search, job readiness training, remedial education, job training, and job placement services.

The department may limit the availability of services in subsections (1) through (3) of the preceding paragraph if such action is necessary as a result of budget limitations."

7. Page 4, line 8.

Strike: "work"

Insert: "workfare"

8. Page 4, lines 9 and 10.

Following: "shall" on line 9

Strike: remainder of line 9 through "other" on line 10

9. Page 4, line 11.

Strike: "agencies to"

10. Page 4, line 12.

Strike: "work"

Insert: "workfare"

11. Page 4, line 13.

Following: "and"

Insert: "work"

12. Page 4, line 20.

Following: "and"

Insert: "work"

13. Page 4, line 23.

Strike: "contract with the department"

14. Page 4, line 24.

Strike: "of labor and industry or other" and "agencies to"

15. Page 4, line 25.

Strike: "a" and "program"

16. Page 5, line 3.

Following: "~~independently~~"

Insert: "job search, training, and workfare programs"

17. Page 5, line 4.

Strike: "In"

Insert: "Except as otherwise provided in this chapter, in"

18. Page 5, line 8.

Strike: "must"

Insert: "may"

Strike: "but is not limited to"

19. Page 5, line 14.

Strike: "work"

Insert: "workfare"

20. Page 6, line 12.

Strike: "(a)"

21. Page 6, lines 13 through 17.

Following: "(3)," on line 13

Strike: remainder of line 13 through "then" on line 17

22. Page 6, lines 19 through 23.

Following: "to" on line 19

Strike: remainder of line 19 through line 23

Insert: "participate in a workfare program. The purpose of the workfare program is to provide work experience and training for general relief recipients in specifically created work projects operated by a public agency or a private, nonprofit agency. A workfare program established under this section must provide that:"

23. Page 6, line 24.

Strike: "(b) No"

Insert: "(a) A"

Following: "may"

Insert: "not"

24. Page 7, lines 3 through 5.

Strike: "(c) No" on line 3

Insert: "(b) A"

Following: "may" on line 3

Insert: "not"

Following: "be" on line 3

Strike: remainder of line 3 through "job" on line 5

Insert: "given a work experience or training assignment if:

(i) the assignment would fill an established unfilled vacancy that exists because an employee has been laid off,"

25. Page 7, line 5.

Following: "or"

Insert: "(ii)"

Strike: "when"

26. Page 7, lines 7 through 8.

Following: "vacancy" on line 7

Strike: remainder of line 7 through "section" on line 8

Insert: "with a general relief recipient"

27. Page 7.

Following: line 8

Insert: "(c) A recipient may not be required to participate in a workfare program if participation is determined to interfere with:

(i) participation in a job search or job training program; or

(ii) attendance in a secondary education program.

(d) The maximum number of hours that a recipient may be required to participate in a workfare program and job search and training programs may not exceed 40 hours in a week."

28. Page 7, line 13.

Strike: "working under the provisions hereof"

Insert: "participating in the workfare program"

29. Page 8, line 24.

Strike: "work or training"

Insert: "a workfare project"

30. Page 9, line 2.

Strike: "No work"

Insert: "A workfare"

Following: "may"

Insert: "not"

31. Page 9, lines 3 and 4.

Strike: "no work"

Insert: "a workfare"

32. Page 9, line 5.

Following: "may"

Insert: "not"

33. Page 9.

Following: line 11

Insert: NEW SECTION. Section 2. Limitation of services. (1) The department may limit the scope and availability of programs and services under 53-3-304 as may be necessary because of:

(a) the actual needs of an individual, as determined in accordance with an employability plan;

(b) funding limitations;

(c) service limitations;

(d) limitations caused by the lack of available employment in the area; and

(e) an insufficient number of recipients in an area to justify establishment of job search, training, and workfare programs.

(2) Recipients residing in areas where programs and services are restricted because of subsection (1) are exempt from mandatory participation in a job search, training, and workfare program.

NEW SECTION. Section 3. Employability plan. (1) The department shall develop or contract for the development of an employability plan for each participant enrolled in job search, training, and workfare programs provided for in 53-3-304.

(2) The department may contract for assessment and testing if:

(a) it determines there is a need for assessment and testing in order to develop an employability plan; and

(b) funds are available for such services.

NEW SECTION. Section 4. Transition-to-work allowance. (1) As an alternative to the programs and services provided for in 53-3-304,

the department may pay recipients a transition-to-work allowance. This allowance may be used only for relocation expenses for recipients who have obtained employment in another county or state.

(2) Notwithstanding any other provision of this chapter, a person who elects to receive the allowance provided for in subsection (1) is ineligible for general relief assistance for a period of 16 months.

NEW SECTION. Section 5. Transportation assistance. The department may provide necessary transportation or reimbursement of transportation costs for persons enrolled in job search, training, and workfare programs provided for in 53-3-304.

NEW SECTION. Section 6. Performance standards — monitoring and evaluation of program. (1) The department shall provide standards to further measure the performance and effectiveness of the general relief job search, training, and workfare program provided for in 53-3-304. The standards must consist of an objective, quantifiable measure of the extent to which participation in the program increases the employment and earnings of participants and decreases their dependency on public assistance.

(2) In order to determine whether performance standards are met, the department shall monitor and evaluate the program on the basis of appropriate factors that must include the following:

- (a) the placement of participants in unsubsidized employment;
- (b) the retention of participants in unsubsidized employment;
- (c) the increase in earnings, including hourly wages, of participants due to placement in unsubsidized employment;
- (d) the reduction in the number of individuals and families receiving aid to families with dependent children; and
- (e) the amount of reductions in payments for aid to families with dependent children.

(3) In monitoring and evaluating the performance of the program, the department shall determine the reasons for high and low levels of performance, administrative efficiencies, and program coordination."

Renumber: subsequent sections

34. Page 10, line 7.

Strike: "52nd"

Insert: "53rd"

35. Page 10.

Following: line 7

Insert: "NEW SECTION. Section 9. Appropriation. The following money is appropriated to the department of social and rehabilitation services for the purpose of administering [this act]:

Fund	FY 90	FY91
General fund	\$ 832,265	\$ 832,265
Federal special revenue	1,055,235	1,055,235
Total	\$ 1,887,500	\$ 1,887,500

Renumber: subsequent sections

36. Page 10.

Following: line 11

Insert: "NEW SECTION. Section 11. Coordination instruction. If this bill and Senate Bill No. 101 are passed and approved, then [section 10, Senate Bill No. 101] is amended so language that reads: "a person who has a serious barrier to employment or who suffers from drug or alcohol dependency shall report to the agency designated pursuant to 53-3-304(2) to implement a job search, training, and work program" will read "a person who has a serious barrier to employment or who suffers from drug or alcohol dependency shall report to a job search, training, and workfare program".

NEW SECTION. Section 12. Codification instruction. [Sections 2 through 6] are intended to be codified as an integral part of Title 53, chapter 3, part 3, and the provisions of Title 53, chapter 3, part 3, apply to [sections 2 through 6]."

Renumber: subsequent section

37. Page 10, line 13.

Strike: "July 1, 1989"

Insert: "January 1, 1990"

And, as amended, be concurred in. Report adopted.

JUDICIARY (D. Brown, Chairman):

3/20/89

SB 166, third reading copy, be amended as follows:

1. Page 7, line 15.

Following: "DECREE"

Insert: "or a person exercising a suspension under 85-2-217 and part 7 of this chapter"

2. Page 7, lines 16 through 18.

Strike: "IF HE" on line 16 through "DECREE" on line 18

And, as amended, be concurred in. Report adopted.

SB 167, third reading copy, be amended as follows:

1. Page 2, lines 15 through 18.

Strike: "A PERSON" on line 15 through end of line 18

And, as amended, be concurred in. Report adopted.

SB 168, be concurred in. Report adopted.

SB 169, third reading copy, be amended as follows:

1. Page 7, lines 7 through 16.

Strike: "HOWEVER," on line 7 through end of line 16

And, as amended, be concurred in. Report adopted.

SB 353, be concurred in. Report adopted.

HB 699, introduced bill, be amended as follows:

1. Title, line 8.

Following: "SAVINGS TO"

Strike: "ORIGINAL CAPITALIZERS AND TO"

2. Title, lines 11 through 14.

Following: "CARE;" on line 11

Strike: remainder of line 11 through "PARTY;" on line 14

3. Title, lines 19 and 20.

Following: "A" on line 19

Strike: remainder of line 19 through "CARRIERS" on line 20

Insert: "TEMPORARY LINE OF CREDIT FROM THE GENERAL
FUND, WITH THE ADVANCED MONEY TO BE REPAID"

4. Title, line 21.

Strike: "33-10-102,"

5. Page 2, line 16.

Page 5, line 22.

Page 6, lines 16 and 24.

Page 10, lines 1, 16, 18, 21, and 23.

Page 11, line 9.

Page 12, lines 11, 14, and 22.

Page 13, lines 2 and 18.

Page 16, line 12.

Page 17, line 7.

Page 18, lines 7 and 18.

Page 19, line 4.

Page 22, lines 8 and 12.

Page 23, lines 19, 21, 23, and 25.

Page 24, lines 20, 23, and 24.

Page 25, lines 9 and 25.

Page 26, lines 1, 2, and 14.

Page 27, lines 2, 19, and 21.

Page 30, line 24.

Page 31, lines 5, 20, and 24.

Page 32, lines 3 and 19.

Page 36, lines 9 and 16.

Page 39, line 7.

Page 40, lines 4 and 25.

Page 41, line 2.

Strike: "26"

Insert: "24"

6. Page 2, lines 19 and 20.

Following: "to" on line 19

Strike: remainder of line 19 through "of" on line 20

Insert: "lower insurance costs for physicians providing"

7. Page 2, line 20.

Following: "and"

Insert: "to increase"

8. Page 3, line 8.

Following: "provide"

Strike: "more full and fair"

Insert: "a no-fault system of"

9. Page 3, lines 9 through 15.

Following: "claimants" on line 9

Strike: remainder of line 9 through "exponentially" on line 15

Renumber: subsequent subsections

10. Page 4, line 7.

Following: first "a"

Insert: "severe"

Following: "health"

Insert: "and economic"

11. Page 4, lines 7 through 22.

Following: "problem" on line 7

Strike: remainder of line 7 through "services" on line 22

Insert: ", especially in rural areas, that may well continue unless appropriate steps are taken"

Renumber: subsequent subsections

12. Page 4, line 23.

Strike: "subsection (3)"

Insert: "subsections (1) and (2)"

13. Page 5, line 7.

Following: "of"

Insert: "physicians involved in obstetrical"

14. Page 5, line 8.

Following: "claims"

Strike: "against physicians"

15. Page 5, line 15.

Strike: "deprives"

Insert: "can deprive"

16. Page 6, lines 9 through 13.

Strike: subsection (4) in its entirety

Renumber: subsequent subsections

17. Page 6, line 21.

Page 7, line 17.

Page 10, line 9.

Page 15, line 10.

Page 17, line 20.

Page 18, line 23.

Page 22, line 15.

Page 24, line 5.

Page 27, line 17.

Page 41, line 3.

Strike: "24"

Insert: "22"

18. Page 7, lines 16 and 17.

Following: "physician" on line 16

Strike: remainder of line 16 through "physician" on line 17

19. Page 7, line 18 through page 8, line 6.

Strike: subsections (12) and (13) in their entirety

Renumber: subsequent subsections

20. Page 8, line 17 through page 9, line 2.

Strike: subsection (18) in its entirety

Renumber: subsequent subsections

21. Page 9, line 5.

Strike: "20"

Insert: "19"

22. Page 9, line 8.

Following: "person"

Insert: "or entity"

23. Page 9, lines 8 through 15.

Following: "having a" on line 8

Strike: remainder of line 8 through "claims" on line 15
Insert: "right of action under 27-1-501"

24. Page 9, lines 19 and 20.
Strike: subsection (22) in its entirety
Renumber: subsequent subsections

25. Page 10, line 13.
Strike: "Purpose"
Insert: "Fund created"

26. Page 11, line 3.
Following: "department"
Insert: "as a fiduciary,"

27. Page 11, line 6.
Strike: "department"
Insert: "departments"

28. Page 11, line 7.
Following: "department"
Insert: "and the department of insurance"

29. Page 11, lines 13 through 25.
Following: "is" on line 13
Strike: remainder of line 13 through end of line 25
Insert: "a loan of \$6,300,000 from the state general fund to the primary pool of funds and a loan of \$100,000 from the state general fund to the secondary pool of funds. The loans are not appropriations and must be repaid under [section 10], without interest."

30. Page 12, line 2.
Following: line 1
Strike: "primary pool of funds is fully nonassessable"
Insert: "participating physicians are not subject to assessment"

31. Page 12, line 5.
Page 19, line 5.
Page 24, line 3.
Strike: "16"
Insert: "15"

32. Page 12, lines 14 through 18.
Following: "26]" on line 14
Strike: remainder of line 14 through "\$13,141" on line 18
Insert: ", an annual surcharge that will keep the primary pool of funds actuarially sound. The statutory limitations and requirements on rate changes by primary medical malpractice carriers apply to the determination of surcharges"

33. Page 13, line 25 through page 14, line 7.
Strike: subsection (3) in its entirety
Renumber: subsequent subsections

34. Page 14, line 20 through page 15, line 5.
Strike: subsection (5) in its entirety
Renumber: subsequent subsection

35. Page 16, line 5.
Following: "period"
Insert: ", with interest at the judgment rate from the time of deferral until payment,"

Following: "obligations"

Insert: "for administration of the primary pool and for noneconomic damages"

36. Page 16, line 6.

Following: "paid."

Insert: "The administrator shall increase the annual surcharge for the primary pool in order to ensure that proration of noneconomic damages does not occur for more than 3 years."

37. Page 16, lines 15 through 17.

Following: "funds" on line 15

Strike: remainder of line 15 through "sessions" on line 17

38. Page 16, lines 23 through 25.

Following: "sound" on line 23

Strike: remainder of line 23 through "physicians" on line 25

Following: "equally" on line 25

Strike: "among"

Insert: "between"

39. Page 17, lines 1 through 3.

Following: "(a)" on line 1

Strike: remainder of line 1 through "contributions" on line 3

Insert: "the general fund, as repayment of amounts withdrawn under the temporary line of credit,"

40. Page 17, line 4.

Strike: "contributions"

Insert: "amounts"

41. Page 17, line 16.

Following: "fund"

Strike: "has the power to"

Insert: "shall"

42. Page 17, lines 17 and 18.

Following: "reinsurance" on line 17

Strike: remainder of line 17 through "department" on line 18

43. Page 17, lines 20 and 21.

Strike: ":" on line 20 through "(1)" on line 21

Insert: " ,"

44. Page 17, line 22 through page 18, line 3.

Following: "final" on line 22

Strike: remainder of line 22 through "January 15" on page 18, line 3

Insert: "must be paid within 30 days"

45. Page 18, line 8.

Following: "primary"

Insert: "or secondary"

46. Page 18, lines 8 and 9.

Following: "on" on line 8

Strike: remainder of line 8 through "year" on line 9

Insert: "the first day of the following month"

47. Page 18, line 10.

Following: "(2)"

Strike: "The only claim against"

Insert: "A payment from"

48. Page 18, line 11.

Strike: "must"

Insert: "may"

Following: "be"

Insert: "made only upon"

49. Page 18, line 19.

Following: "(3)"

Strike: "The only claim against"

Insert: "A payment from"

50. Page 18, line 20.

Strike: "must"

Insert: "may"

Following: "be"

Insert: "made only upon"

51. Page 18, line 22.

Following: "judgment"

Insert: "or award"

52. Page 18, lines 24 and 25.

Following: "(b) a" on line 24

Strike: remainder of line 24 through "panel" on line 25

Insert: "duplicate original of a settlement entered into by the administrator on behalf of the secondary pool of funds"

53. Page 19, line 4.

Strike: "as"

Insert: "under insurance"

54. Page 19, lines 10 through 13.

Following: "administrator" on line 10

Strike: remainder of line 10 through "funds" on line 13

55. Page 19, line 15.

Following: "writing"

Strike: ", postage prepaid by certified mail,"

56. Page 19, line 17 through page 22, line 5.

Following: "settle." on line 17

Strike: remainder of line 17 through page 22, line 5

Renumber: subsequent sections

57. Page 22, line 24.

Following: "physician,"

Strike: "have one or more"

Insert: "be a member of one that has more than 50% of the"

58. Page 23, lines 11 and 12.

Following: line 10

Strike: line 11 through "limits." on line 12

59. Page 23, line 23.

Following: "26]"

Insert: ", except for claims made while the physician was qualified"

60. Page 24, line 16.

Following: "aggregate"

Insert: "as to each qualified physician"

61. Page 25, line 8.

Strike: "constitute"
Insert: "constitutes"

62. Page 25, lines 15 through 23.
Strike: subsection (6) in its entirety
Renumber: subsequent subsection

63. Page 26, lines 8 and 9.
Following: "claim" on line 8
Strike: remainder of line 8 through "funds" on line 9

64. Page 27, line 1.
Strike: "five"
Insert: "four"

65. Page 27, line 2.
Strike: "The"
Insert: "Expenses for travel and lodging and the administration of the"

66. Page 28, line 10.
Following: "warranted"
Insert: "under 37-3-323 through 37-3-328 and may take action under those sections"

67. Page 28, line 16 through page 30, line 21.
Strike: section 22 in its entirety
Renumber: subsequent sections

68. Page 33, lines 4 through 8.
Following: "physician." on line 4
Strike: remainder of line 4 through "panel." on line 8

69. Page 33, line 9.
Following: "(2)"
Strike: remainder of line 9 through "at"
Insert: "At"

70. Page 33, line 10.
Following: "treatment"
Insert: "by a participating physician"

71. Page 33, lines 11 through 14.
Following: "care," on line 11
Strike: remainder of line 11 through "to" on line 14

72. Page 33, line 15.
Following: "patient"
Insert: "is eligible to participate in the secondary pool and becomes liable for the payment of a designated premium equivalent"

73. Page 33, line 16.
Following: "\$25"
Strike: ". The amount"
Insert: ", is nonrefundable, and"

74. Page 33, lines 18 through 20.
Following: "council." on line 18
Strike: remainder of line 18 through "funds." on line 20

75. Page 33, lines 21 through 25.
Following: "time" on line 21

Strike: remainder of line 21 through "charged" on line 25

Insert: "of initial medical treatment related to the birthing process or obstetrical care, must be informed by the physician of the provisions of subsection (2) and this subsection. The physician shall at that time give the patient a pamphlet that clearly and adequately describes the provisions of [sections 1 through 24] and advises the patient to contact an attorney if the patient believes the patient has a malpractice claim related to the birthing process or obstetrical care. The pamphlet must be written by the state bar of Montana, and the primary pool shall pay the cost of publishing and distributing the pamphlet. The physician shall add the designated premium equivalent to the first bill sent to the patient and inform the patient at the time of the initial medical treatment that the amount will be added to the bill"

76. Page 34, lines 1 and 2.

Following: "premium" on line 1

Strike: remainder of line 1 through "funds" on line 2

77. Page 34, lines 6 and 7.

Following: "(4)" on line 6

Strike: remainder of line 6 through line 7

78. Page 34, lines 8 and 9.

Following: "(a)" on line 8

Strike: remainder of line 8 through "the" on line 9

Insert: "The"

79. Page 34, line 10.

Strike: "immediately"

Insert: ", within 30 days of the time of initial medical treatment,"

80. Page 34, lines 12 through 15.

Following: "premium." on line 12

Strike: remainder of line 12 through "funds." on line 15

81. Page 34, line 16.

Strike: "subsequent"

Insert: "Subsequent"

82. Page 34, line 18.

Strike: "shall"

Insert: "may"

83. Page 34, line 23 through page 35, line 5.

Following: "claim." on line 23

Strike: remainder of line 23 through "effective." on page 35, line 5

84. Page 35, line 12.

Following: "claim."

Insert: "The arbitration panel must be composed of an attorney, a physician, and a professional arbitrator. The professional arbitrator must be knowledgeable in workers' compensation law and is the chairman of the panel."

85. Page 35, line 24 through page 36, line 1.

Following: "agreement" on line 24

Strike: remainder of line 24 through "claim," on page 36, line 1

86. Page 36, line 9.

Strike: "or a hospital"

87. Page 36, lines 11 through 13.

Following: "patient" on line 11

Strike: remainder of line 11 through "incident" on line 13

88. Page 36, line 14.

Strike: "The"

Insert: "If a claim has not been filed under subsection (7), the"

89. Page 36, line 18 through page 37, line 4.

Following: "section" on line 18

Strike: remainder of line 18 through "panel" on page 37, line 4

90. Page 37, line 9.

Following: "section are"

Insert: ":",

91. Page 37, lines 10 through 23.

Strike: lines 10 through 23 in their entirety

Insert: "(i) medical, paramedical, and hospital expenses incurred to the date of the award;

(ii) future medical, paramedical, and hospital expenses, computed in the manner provided in 39-71-704 and rules implementing that section;

(iii) a sum equal to one and one-half times the state's average weekly wage for the period of the disability; and

(iv) reasonable attorney fees incurred in bringing the claim before the arbitration panel, not to exceed \$125 per hour."

92. Page 38, line 1.

Strike: "or is entitled to receive"

93. Page 38, lines 8 through 10.

Strike: subsection (c) in its entirety

94. Page 38, line 12.

Strike: "an annual"

Insert: "a monthly"

95. Page 39, line 20.

Strike: "(9) and"

Insert: "(7) through"

96. Page 39, lines 22 and 23.

Following: "is" on line 22

Strike: remainder of line 22 through "injury" on line 23

Insert: "the period provided in 27-2-205"

97. Page 40, line 3.

Following: "report"

Insert: "in writing"

Following: "each"

Insert: "regular"

98. Page 40, lines 23 and 24.

Following: "If" on line 23

Strike: remainder of line 23 through "if" on line 24

99. Page 41, line 4 through page 42, line 18.

Strike: section 29 in its entirety

Renumber: subsequent sections

100. Page 45, lines 10 and 11.

Following: "32." on line 10

Strike: remainder of line 10 through "dissolution" on line 11

Insert: "Dissolution"

101. Page 45, lines 12 through 23.

Following: "association." on line 12

Strike: subsections (1)(a) and (1)(b) in their entirety

102. Page 45, line 24.

Strike: "(2)(a)"

Insert: "(1)"

103. Page 46, line 3.

Strike: "(i)"

Insert: "(a) ["

Strike: "chapter"

Insert: "act]"

104. Page 46, line 5.

Strike: "(ii)"

Insert: "(b)"

105. Page 46, line 11.

Strike: "(b)"

Insert: "(2)"

106. Page 46, line 25 through page 47, line 6.

Following: "fund." on line 25

Strike: remainder of line 25 through "accrues." on page 47, line 6

And, as amended, do pass. Report adopted.

TAXATION (Harrington, Chairman):

3/21/89

HB 269, introduced bill, be amended as follows:

1. Page 1, line 16.

Following: "sale"

Insert: "or use"

2. Page 1, line 19.

Strike: "state"

Insert: "statewide general"

3. Page 1, lines 19 through 24.

Strike: ", increased" on line 19 through "(b)" on line 24

Insert: "unless"

4. Page 1.

Following: line 25

Insert: "(3) No statewide general sales tax may be increased in rate or expanded to include additional goods or services unless such action is:

(a) adopted by a vote of two-thirds of the members of each house of the legislature; or

(b) approved by the electorate."

Renumber: subsequent subsections

5. Page 2.

Following: line 24

Insert: "NEW SECTION. Section 3. General transition. All statewide and local option general or specific item sales tax laws in effect on December 31, 1990, remain in effect, as if [this act] had not been adopted, until they expire by their own limitations or are altered or repealed as provided by law."

Renumber: subsequent section

6. Page 3, lines 5 and 6.

Strike: "and" on line 5 through "option" on line 6

Strike: "." on line 6

Insert: "as follows:

(1) requiring a vote of the people before any statewide general sales tax is enacted; and

(2) once enacted, requiring a vote of the people or a two-thirds vote of each house of the legislature before a statewide general sales tax may be increased in rate or expanded to include additional goods or services."

7. Page 3, lines 7 and 8.

Strike: "and" on line 7 through "option" on line 8

Strike: "." on line 8

Insert: "as follows:

(1) requiring a vote of the people before any statewide general sales tax is enacted; and

(2) once enacted, requiring a vote of the people or a two-thirds vote of each house of the legislature before a statewide general sales tax may be increased in rate or expanded to include additional goods or services."

And, as amended, do pass. Report adopted.

HB 641, introduced bill, be amended as follows:

1. Title, line 6.

Following: "ORGANIZATION"

Insert: "OR PORT AUTHORITY"

2. Page 1.

Following: line 20

Insert: "(3) 'Port authority' means a port authority created under 7-14-1101 or 7-14-1102."

3. Page 1, line 22.

Following: "procedure"

Insert: "— termination"

4. Page 1, line 23.

Following: "organization"

Insert: "or a port authority"

5. Page 2, line 6.

Following: "that"

Insert: ":

(a)"

6. Page 2, line 8.

Strike: "(a)"

Insert: "(i)"

7. Page 2, line 10.

Strike: "(b)"

Insert: "(ii)"

Strike: "has a history of being"

Insert: "is"

8. Page 2, line 12.

Strike: "(c)"

Insert: "(iii)"

Following: "will"

Insert: "own and"

9. Page 2, line 13.

Following: "park"

Insert: "; or

(b) the port authority legally exists under the provisions of 7-14-1101 or 7-14-1102"

10. Page 2.

Following: line 21

Insert: "(4) If a local economic development organization sells, leases, or otherwise disposes of the exempt property to a purchaser or lessee that is not a local economic development organization or a unit of federal, state, or local government, the tax exemption provided in this section terminates. The termination of the exemption applies January 1 of the taxable year immediately following the sale, lease, or other disposition of the property."

And, as amended, do pass. Report adopted.

HB 703, introduced bill, be amended as follows:

1. Title, line 7.

Following: ","

Insert: "REQUIRING THE DEPARTMENT OF REVENUE TO ANNUALLY PUBLISH THE RESULTS OF SALES ASSESSMENT RATIO STUDIES;"

2. Page 4, line 4.

Following: "—"

Insert: "publication of sales assessment ratio studies —"

3. Page 5, line 2.

Strike: "1988"

Insert: "1990"

4. Page 6, line 10.

Following: "property"

Insert: "sales"

5. Page 10, line 19.

Following: "15-7-308"

Strike: ", but"

Insert: ". However, the department shall annually publish a report containing the results of all sales assessment ratio studies done in each of the areas described in subsection (6). The report containing"

And, as amended, do pass. Report adopted.

REPORTS OF SELECT COMMITTEES

Conference Committee
on Senate Bill 179
Report No. 1, March 20, 1989

Mr. President and Mr. Speaker:

We, your Conference Committee on Senate Bill 179 met and considered:

The House Committee on Business and Economic Development amendments to the third reading copy dated March 3, 1989.

We recommend Senate Bill 0179 (third reading copy — blue) be amended as follows:

The House amendments are accepted and the reference copy is unchanged.

And this Conference Committee report be adopted.

For the Senate:

Rasmussen, Chairman
Thayer
Walker

For the House:

Pavlovich
Bachini
Simon

**FIRST READING AND COMMITMENT
OF BILLS AND RESOLUTIONS**

The following House bill was introduced, read first time, and referred to committee:

HB 789, introduced by Connelly, Bardanouve, Lee, J. Brown, Ellison, Regan, Moore, Westlake, Wyatt, Strizich, McDonough, Kadas, Brooke, Ream, Johnson, Stickney, Eck, Cody, Elliott, Schye, L. Nelson, Squires, Addy, Nisbet, Raney, Peck, Vincent, Quilici, Hansen, Darko, Russell, Kimberley, Kilpatrick, Whalen, DeMars, Cocchiarella, Gervais, Spaeth, Harrington, Hoffman, O'Keefe, Stang, Iverson, Peterson, Smith, Owens, Good, Abrams, Eudaily, Knapp, Spring, T. Nelson, Thoft, R. Nelson, Jergeson, Boylan, Halligan, Williams, Boharski, Hammond, Menahan, Manning, Stimatz, Vaughn, Hager, Pinsoneault, Walker, Jacobson, McLane, Van Valkenburg, Tveit, Harding, Harp, Pipinich, Gage, Jenkins, Crippen, Nathe, referred to Committee on Appropriations

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved the House adjourn until 9:00 a.m., Wednesday, March 22, 1989.

Motion carried.

House adjourned at 10:45 p.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

SIXTY-SIXTH LEGISLATIVE DAY

Helena, Montana
March 22, 1989

House Chambers
State Capitol

House convened at 9:10 a.m., Mr. Speaker in the Chair. Invocation by Representative Johnson. Pledge of Allegiance to the Flag.

Roll call. All members present except Compton, excused. Quorum present.

Representative Harper moved the House recess until 10:00 a.m.

Motion carried.

House recessed at 9:17 a.m.

House reconvened at 10:35 a.m. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

3/22/89

Correctly printed: HB 200, HB 269, HB 619, HB 641, HB 703, HB 763, HB 768.

Delivered to the Governor for his approval at 8:30 a.m., 3/22/89: HB 1, HB 2, HB 43, HB 69, HB 101, HB 128, HB 151, HB 192, HB 201, HB 239, HB 251, HB 252, HB 253, HB 278, HB 308, HB 317, HB 321, HB 326, HB 347, HB 365, HB 368, HB 372, HB 374, HB 388, HB 407, HB 419, HB 434, HB 438, HB 446, HB 449, HB 467, HB 505, HB 570, HB 573.

Representative Thomas excused at this time.

REPORTS OF SELECT COMMITTEES

Conference Committee
on House Bill 58

Report No. 1, March 21, 1989

Mr. President and Mr. Speaker:

We, your Free Conference Committee on House Bill 58, considered and recommend HB 58 (reference copy — salmon) be amended as follows:

1. Page 15, line 3.

Following: "(4)"

Insert: "(a)"

2. Page 15, line 5.

Following: "after"

Insert: ".,"

3. Page 15, line 6.

Following: "~~due~~"

Insert: "(i)"

4. Page 15, line 7.

Following: "7-1-2121"

Strike: ", and"

Insert: ";

(ii) holding"

Following: "hearing"

Insert: ";; and"

(iii) notifying the governor's office of budget and program planning and the department of revenue about a proposed action to suspend or cancel delinquent property taxes. The governor's office of budget and program planning and the department of revenue shall consult with the governing body regarding the impact on programs that would result from the proposed granting of the suspension or cancellation of the delinquent property taxes, and the governing body shall consider the information before reaching a final decision"

Following: "."

Insert: "(b)"

And this Free Conference Committee report be adopted.

For the Senate:

Crippen, Chairman
Hager
Regan

For the House:

Driscoll
Ramirez
Harrington

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:

3/21/89

HB 113, introduced by Rehberg
HB 393, introduced by Darko
HB 559, introduced by Eudaily
HB 578, introduced by Rice
HB 594, introduced by Thomas
HB 677, introduced by Driscoll
HJR 12, introduced by Bradley
HJR 16, introduced by Hannah
HJR 17, introduced by Schye
HJR 21, introduced by Spaeth
HJR 28, introduced by Stickney

House bills concurred in as amended and returned to the House for concurrence in Senate amendments:

3/21/89

HB 211, introduced by Addy
HB 394, introduced by Clark
HB 486, introduced by Grady
HB 657, introduced by Owens
HB 671, introduced by Patterson
HB 720, introduced by Giacometto

House bill not concurred in and returned to the House:

3/21/89

HB 719, introduced by Menahan

Conference committee report No. 1, on HB 87 was adopted on third reading.

3/21/89

The Senate, on 3/17/89, rejected the House amendments to SB 153, and appointed a free conference committee to meet with a like committee from the House to confer on House amendments to SB 153.

President Galt appointed the following members:

Senator Rasmussen, Chairman
Senator Thayer
Senator Mazurek

The Senate, on 3/21/89, acceded to the request of the House and appointed a conference committee to meet with a like committee from the House to confer on Senate amendments to HB 165.

President Galt appointed the following members:

Senator Gage, Chairman
Senator Harp
Senator Weeding

MESSAGES FROM THE GOVERNOR

John Vincent
Speaker of the House
Montana House of Representatives
State Capitol
Helena, Montana 59620

March 21, 1989

Dear Representative Vincent:

Please be informed that I have signed House Bills 33, 133, 155, 183, 189, 190, 265, 276, 348, 360, 405, 423, 487, 675, and 684 on March 20, 1989.

Sincerely,

STAN STEPHENS
Governor

MOTIONS

Representative Hanson moved HB 709 be taken from the second reading board this legislative day and rereferred to the Committee on Appropriations. Motion carried.

Representative Russell moved the rules be suspended to permit the late drafting and introduction of a resolution. Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 56 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Iverson, Johnson, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, L. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, Rice, Roth, Russell, Schye, Simpkins, Smith, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 77

Noes: Boharski, Campbell, DeBruycker, Good, Grinde, Guthrie, Kadas, Kasten, Keller, Lee, Mercer, R. Nelson, T. Nelson, Peterson, Ramirez, Rehberg, Simon, Spaeth, Spring.
Total 19

Excused: Compton, Moore, Thomas.
Total 3

Absent or not voting: Hoffman.

Total 1

HB 143 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Compton, Moore, Thomas.

Total 3

Absent or not voting: Driscoll, Hoffman, Quilici.

Total 3

HB 193 passed as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Gervais, Glaser, Gould, Grady, Grinde, Hansen, Harper, Harrington, Hayne, Hoffman, Johnson, Kadas, Kilpatrick, Kimberley, Koehnke, McCormick, McDonough, Menahan, L. Nelson, R. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Raney, Ream, Rehberg, Russell, Schye, Spaeth, Squires, Stang, Stickney, Strizich, Thoft, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 60

Noes: Bardanouve, Boharski, Campbell, DeBruycker, Ellison, Eudaily, Giacometto, Gilbert, Good, Guthrie, Hannah, Hanson, Iverson, Kasten, Keller, Lee, Marks, Mercer, T. Nelson, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Rice, Roth, Simon, Simpkins, Spring, Steppler, Swift, Swysgood, Wallin.

Total 35

Excused: Compton, Moore, Thomas.

Total 3

Absent or not voting: Knapp, Smith.

Total 2

HB 233 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet,

O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Campbell, Clark, DeBruycker, Hayne, Owens.

Total 5

Excused: Compton, Moore, Thomas.

Total 3

Absent or not voting: Brooke.

Total 1

HB 277 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Gould, Grady, Guthrie, Hansen, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, McCormick, McDonough, Menahan, R. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Quilici, Raney, Ream, Russell, Schye, Spaeth, Squires, Stang, Stickney, Strizich, Swift, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 59

Noes: Aafedt, Boharski, Clark, Cobb, DeBruycker, Ellison, Giacometto, Gilbert, Glaser, Good, Grinde, Hanson, Hayne, Kasten, Keller, Knapp, Koehnke, Lee, Marks, Mercer, L. Nelson, T. Nelson, Owens, Patterson, Peck, Peterson, Phillips, Ramirez, Rehberg, Rice, Roth, Simon, Simpkins, Smith, Spring, Steppler, Swysgood.

Total 37

Excused: Compton, Moore, Thomas.

Total 3

Absent or not voting: Hannah.

Total 1

HB 329 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Koehnke, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Russell, Schye, Simpkins, Spaeth, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 71

Noes: Boharski, Cobb, DeBruycker, Ellison, Gilbert, Glaser, Good, Grinde, Hayne, Hoffman, Kasten, Keller, Knapp, Lee, Marks, T. Nelson, Owens, Patterson, Peck, Peterson, Ramirez, Roth, Simon, Smith, Spring, Steppler.

Total 26

Excused: Compton, Moore, Thomas.

Total 3

Absent or not voting: None.

Total 0

HB 333 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 83

Noes: Campbell, Clark, Giacometto, Good, Hoffman, Kasten, Keller, Lee, Owens, Peterson, Phillips, Ramirez, Smith, Spring.

Total 14

Excused: Compton, Moore, Thomas.

Total 3

Absent or not voting: None.

Total 0

HB 390 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Compton, Moore, Thomas.

Total 3

Absent or not voting: Eudaily.

Total 1

HB 398 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, D. Brown, J. Brown, Campbell, Cody, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson,

Phillips, Quilici, Raney, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 79

Noes: Boharski, Brooke, Clark, Cobb, Cocchiarella, Cohen, Giacometto, Good, Grinde, Hayne, Kasten, O'Keefe, Ramirez, Ream, Rehberg, Spaeth, Swysgood.

Total 17

Excused: Compton, Moore, Thomas.

Total 3

Absent or not voting: Connelly.

Total 1

HB 507 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanoue, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Quilici, Raney, Ream, Rehberg, Rice, Russell, Schye, Simon, Simpkins, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 81

Noes: Campbell, Ellison, Giacometto, Gilbert, Hannah, Hayne, Hoffman, Kasten, Koehnke, Peck, Phillips, Ramirez, Roth, Smith, Spring, Zook.

Total 16

Excused: Compton, Moore, Thomas.

Total 3

Absent or not voting: None.

Total 0

HB 510 passed as follows:

Ayes: Addy, Bachini, Bardanoue, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Gilbert, Glaser, Gould, Grady, Hansen, Harper, Harrington, Johnson, Kadas, Kilpatrick, Kimberley, Koehnke, Lee, McCormick, McDonough, Menahan, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, Russell, Schye, Spaeth, Squires, Stang, Stickney, Strizich, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 55

Noes: Aafedt, Boharski, Campbell, Clark, Cobb, DeBruycker, Ellison, Giacometto, Good, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Iverson, Kasten, Keller, Knapp, Marks, Mercer, L. Nelson, R. Nelson, T. Nelson, Owens, Peterson, Phillips, Ramirez, Rehberg, Rice, Roth, Simon, Simpkins, Smith, Spring, Stepler, Swift, Swysgood, Thoft, Zook.

Total 40

Excused: Compton, Moore, Thomas.

Total 3

Absent or not voting: Daily, Patterson.

Total 2

HB 535 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Strickney, Strizich, Swift, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Campbell, Kasten, Owens, Swysgood.

Total 4

Excused: Compton, Moore, Thomas.

Total 3

Absent or not voting: None.

Total 0

HB 547 passed as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Strickney, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Bardanouve, Brooke, Cobb, Gould, Kadas.

Total 5

Excused: Compton, Moore, Thomas.

Total 3

Absent or not voting: None.

Total 0

HB 555 passed as follows:

Ayes: Aafedt, Addy, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Glaser, Gould, Grady, Grinde, Hansen, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Lee, McCormick, McDonough, Menahan, L. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peterson, Quilici, Raney, Rice, Roth, Russell, Schye, Simpkins, Spaeth, Spring, Squires, Steppler,

Stickney, Strizich, Swift, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook,
Mr. Speaker.

Total 67

Noes: Bachini, Campbell, Cocchiarella, DeBruycker, Ellison, Giacometto,
Gilbert, Good, Guthrie, Hannah, Hanson, Hayne, Kasten, Keller, Koehnke,
Marks, Mercer, R. Nelson, T. Nelson, Owens, Patterson, Peck, Phillips,
Ramirez, Ream, Rehberg, Simon, Smith, Stang, Swysgood.

Total 30

Excused: Compton, Moore, Thomas.

Total 3

Absent or not voting: None.

Total 0

HB 563 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D.
Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko,
Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais,
Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Harper,
Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller,
Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick,
McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet,
O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips,
Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye,
Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stickney, Strizich, Swift,
Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: Boharski, Campbell, Cobb, Grinde, Hansen, Hanson, Stang, Stepler.

Total 8

Excused: Compton, Moore, Thomas.

Total 3

Absent or not voting: None.

Total 0

HB 773 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley,
Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody,
Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison,
Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde,
Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman,
Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke,
Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R.
Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck,
Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth,
Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang,
Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake,
Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: DeBruycker, Kasten, Owens.

Total 3

Excused: Compton, Moore, Thomas.

Total 3

Absent or not voting: None.

Total 0

SB 321 concurred in as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Aafedt, Cobb, Grinde, Owens.

Total 4

Excused: Compton, Moore, Thomas.

Total 3

Absent or not voting: R. Nelson.

Total 1

MOTIONS

Representative Moore excused at this time.

Representative Harper moved the House dissolve the conference committee on SB 330 and the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on House amendments to SB 330. Motion carried.

Speaker Vincent appointed the following members:

Representative Whalen, Chairman

Representative Kilpatrick

Representative Thomas

Representative Harper moved consideration of HB 163, HB 479, and HB 761 be passed until the 68th legislative day. Motion carried.

Representative Harper moved all applicable House rules be temporarily suspended for placement and consideration of HB 543, HB 769, HB 780, and HB 785 on second reading and third readings on or before the conclusion of the 67th legislative day.

Representative Ramirez moved the question be divided. Motion carried.

The motion with regard to HB 543 passed. (64-32)

The motion with regard to HB 769 passed. (80-16)

The motion with regard to HB 780 failed. (52-45)

The motion with regard to HB 785 failed. (50-47)

Representative Harper moved all applicable House rules be temporarily suspended to allow placement and consideration of HB 730, HB 788, and

HB 789 on second and third readings on or before the conclusion of the 67th legislative day. Motion failed. (55-42)

Representative Addy moved HB 699 be taken from printing and rereferred to the Committee on Appropriations. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Iverson in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 173 - Representative R. Nelson moved HB 173, second reading copy, be amended as follows:

1. Title, line 10.

Following: "DATE"

Insert: "AND A TERMINATION DATE"

2. Page 3.

Following: line 1

Insert: "NEW SECTION. Section 4. Termination. [This act] terminates on the effective date of a new equalized school funding system."

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: None.

Total 0

Excused: Compton, Moore, Thomas.

Total 3

Absent or not voting: Bardanouve, Driscoll, Grady, Harrington, Kadas, Menahan, O'Keefe, Stang.

Total 8

Representative R. Nelson moved HB 173, as amended, do pass.
Motion carried as follows:

Ayes: Addy, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, DeMars, Elliott, Eudaily, Gervais, Giacometto, Glaser, Gould, Grady, Guthrie, Hannah, Harper, Harrington, Johnson, Keller, Kilpatrick, Kimberley, Knapp,

Koehnke, Lee, McDonough, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peterson, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Spring, Squires, Stang, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Whalen, Wyatt, Mr. Speaker.

Total 62

Noes: Aafedt, Bachini, Bardanouve, Campbell, Cobb, Cody, DeBruycker, Ellison, Gilbert, Good, Grinde, Hansen, Hanson, Hayne, Hoffman, Iverson, Kadas, Kasten, Marks, McCormick, Mercer, Owens, Peck, Phillips, Ramirez, Simon, Simpkins, Smith, Spaeth, Stepler, Swysgood, Westlake, Zook.

Total 33

Paired: Thomas, Aye; Marks, No.

Excused: Compton, Moore.

Total 2

Absent or not voting: Driscoll, Menahan, Quilici.

Total 3

Representative Moore present at this time.

Representatives Clark and Stang excused at this time.

HB 200 - Representative Vincent moved HB 200 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Hansen, Harper, Harrington, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough, Menahan, Moore, T. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Squires, Stang, Stickney, Strizich, Swift, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 65

Noes: Aafedt, Campbell, Cobb, Cody, DeBruycker, Giacometto, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Iverson, Kasten, Keller, Lee, Marks, Mercer, L. Nelson, Owens, Patterson, Phillips, Ramirez, Rehberg, Smith, Spring, Stepler, Swysgood, Thoft, Wallin, Zook.

Total 31

Paired: Bradley, Simon, Stang, Ayes; Hannah, Marks, Noes.

Excused: Clark, Compton, Thomas.

Total 3

Absent or not voting: R. Nelson.

Total 1

HB 234 - Representative Spaeth moved HB 234 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cocchiarella, Cody, Cohen, Connelly, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough,

Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Squires, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 81

Noes: Aafedt, Cobb, DeBruycker, Hanson, Kasten, Lee, Owens, Patterson, Phillips, Smith, Spring.

Total 11

Excused: Clark, Compton, Stang, Thomas.

Total 4

Absent or not voting: Daily, Hannah, Pavlovich, Westlake.

Total 4

Representative Simon assumed the Chair at this time.

Representative Whalen excused at this time.

HB 526 - Representative Iverson moved HB 526 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Harper, Harrington, Hayne, Hoffman, Kasten, Keller, Kilpatrick, Kimberley, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Ramirez, Ream, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stepler, Stickney, Swift, Swysgood, Thoft, Wallin, Zook, Mr. Speaker.

Total 77

Noes: Brooke, Campbell, Gervais, Hansen, Johnson, Kadas, Knapp, Moore, O'Keefe, Raney, Russell, Strizich, Wyatt.

Total 13

Excused: Clark, Compton, Stang, Thomas, Whalen.

Total 5

Absent or not voting: D. Brown, Driscoll, Iverson, Quilici, Westlake.

Total 5

Representative Thomas present at this time.

HB 550 - Representative Vincent moved HB 550 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stepler, Stickney,

Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Mr. Speaker.

Total 89

Noes: Campbell, Guthrie, Kasten.

Total 3

Excused: Clark, Compton, Stang, Whalen.

Total 4

Absent or not voting: D. Brown, Connelly, Phillips, Zook.

Total 4

Representative Stang present at this time.

HB 552 - Representative T. Nelson moved HB 552 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thomas, Wallin, Wyatt, Zook, Mr. Speaker.

Total 83

Noes: Campbell, Cobb, DeMars, Grinde, Guthrie, Kasten, Owens, Peck, Swysgood, Thoft, Westlake.

Total 11

Excused: Clark, Compton, Whalen.

Total 3

Absent or not voting: Gilbert, Menahan, Spring.

Total 3

HB 583 - Representative Bardanouve moved HB 583, second reading copy, be amended as follows:

1. Page 3, line 8.

Following: "chapter"

Insert: "The distribution of the 9-1-1 emergency telecommunications account, according to the requirements of 10-4-302, is statutorily appropriated. Expenditures for actual and necessary expenses required for the efficient administration of the plan must be made from temporary appropriations, as described in 17-7-501(1) or (2), made for that purpose."

2. Page 6, line 5.

Following: "~~10-4-301~~"

Insert: "10-4-301"

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott,

Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Westlake, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: None.
Total 0

Excused: Clark, Compton, Whalen.
Total 3

Absent or not voting: Menahan, Moore, Wallin.
Total 3

Representative Bardanouve moved HB 583, as amended, do pass.

Representative Kadas made a substitute motion to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative Compton present at this time.

Representative Kadas moved HB 583, second reading copy, be amended. Amendment failed. (35-61)

Representative Spaeth moved to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative Spaeth moved HB 583, second reading copy, be amended. Amendment failed. (36-61)

Representative D. Brown moved to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative D. Brown moved HB 583, second reading copy, be amended. Amendment failed. (36-59)

Thereupon, HB 583, as amended, passed as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Campbell, Clark, Cobb, Compton, DeBruycker, DeMars, Elliott, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Hoffman, Iverson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Lee, Marks, McCormick, Mercer, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Rehberg, Rice, Roth, Simon, Simpkins, Smith, Spring, Squires, Steppler, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Zook.
Total 58

Noes: Addy, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Daily, Darko, Davis, Driscoll, Eudaily, Harper, Harrington, Hayne, Johnson, Knapp, Koehnke, McDonough, Menahan, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Raney, Ream, Russell, Schye, Spaeth, Stang, Stickney, Wyatt, Mr. Speaker.
Total 39

Excused: Whalen.
Total 1

Absent or not voting: Connelly, Ellison.

Total 2

Representative Whalen present at this time.

Representative Harper moved the committee rise, report progress and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Iverson moved the adoption of the committee report. Report adopted. (84-14)

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

3/22/89

Correctly enrolled: HB 247, HB 344, HB 424, HB 448, HB 471, HB 491, HB 541, HB 620, HB 670, HB 744, HJR 18.

Examined by the sponsors and found to be correct:

HB 247 - Whalen
HB 344 - Nisbet
HB 424 - Grady
HB 448 - Menahan
HB 471 - Glaser
HB 491 - Spaeth
HB 541 - Gould
HB 620 - Vincent
HB 670 - Cody
HB 744 - Quilici
HJR 18 - Menahan

Delivered to the Governor for his approval at 9:16 a.m., 3/22/89: HB 231, HB 351, HB 375, HB 598, HB 679, HB 680.

HUMAN SERVICES AND AGING (Hansen, Chairman):

3/22/89

SB 129, third reading copy, be amended as follows:

1. Title, line 17.

Following: "40-5-203,"

Insert: "40-5-208,"

2. Title, line 18.

Following: "40-5-417,"

Insert: "40-5-422,"

3. Page 7.

Following: line 8

Insert: "(6) If the department of revenue is providing or later provides support enforcement services under Title IV-D of the Social Security Act, each district court order or modification of an order must contain a statement providing that the noncustodial parent, without further order of the court, is required to obtain and maintain health insurance coverage as provided in 40-5-208. Failure to include a warning statement in the judgment or order does not preclude the imposition of sanctions under 40-5-208."

4. Page 12.

Following: line 14

Insert: "(9) If the department of revenue is providing or later provides support enforcement services under Title IV-D of the Social Security Act, each district court order or modification of an order must contain a statement providing that the noncustodial parent, without further order of the court, is required to obtain and maintain health insurance coverage as provided in 40-5-208. Failure to

include a warning statement in the judgment or order does not preclude the imposition of sanctions under 40-5-208."

5. Page 14, lines 11 through 15.

Strike: line 11 through "hiring." on line 15

Insert: "After a person is hired for employment, the payor shall submit to the person a written form inquiring whether the person owes child support that is required by law to be withheld from income according the terms of an order, if any, concerning child support. The person shall immediately complete, sign, and date the form and return it to the payor. The completed form must be retained by the payor for at least 3 years after the date of hiring or at least 1 year after the date that employment is terminated, whichever is longer."

6. Page 15.

Following: line 5

Insert: "(4) A payor may not inquire as to whether a prospective employee owes child support that is required by law to be withheld from income according to the terms of an order, if any, concerning child support, until employment has been offered and accepted."

7. Page 26.

Following: line 24

Insert: "Section 17. Section 40-5-208, MCA, is amended to read:

"40-5-208. Medical support obligation — enforcement — sanctions.

(1) (a) In all proceedings initiated pursuant to this part to establish a child support order, whether final or temporary, and in each modification of an existing order, the department shall require ~~parents obligated to pay child support~~ the obligor to secure obtain and maintain health insurance coverage for each dependent child, at a cost not to exceed 5% of net income, whenever such if health insurance coverage is available through ~~their~~ the obligor's employment or other group health insurance plan. The order or modification of an order must include a statement that the insurance must be obtained and maintained whenever the department is providing support enforcement services and that the failure to do so may result in the imposition of sanctions under this section. However, if a court of competent jurisdiction has entered an order establishing a current support obligation and has ordered the obligated parent to secure and maintain health insurance coverage for each dependent child, the department shall enforce the obligation as ordered by the court.

(b) If the support order or modification of an order does not include a provision requiring the obligor to provide health insurance coverage for a child, upon notice to the obligor that the child is receiving support enforcement services under Title IV-D of the Social Security Act, the obligor shall obtain and maintain health insurance coverage as provided for in subsection (1)(a). This insurance is in addition to:

(i) an order requiring the obligee to maintain health insurance coverage;

(ii) an agreement that the obligee will maintain health insurance coverage; or

(iii) a failure or omission of the court order or modification of an order to require health insurance coverage.

(2) (a) If the department is providing child support enforcement services and the obligor is required by an existing district court order or an administrative order under this section to provide health insurance coverage for a child, the department shall also enforce the health insurance obligation.

(b) To ensure that health insurance coverage is available for the child, the obligor, upon written request by the department, shall provide the name of the insurance carrier, the policy identification name and number, the names of the persons covered, and any other pertinent information regarding coverage.

~~(2)(3) (a) If the department determines that an obligated parent has failed to maintain health insurance coverage required by the order of a court of competent jurisdiction or an administrative agency empowered to enter such order, it~~ The department may issue a notice commanding the parent obligor to appear at a hearing held by the department and show cause why a sum of not more than \$100 should not be assessed for each month health insurance coverage is not secured or maintained if the department determines an obligor has failed to:

(i) obtain or maintain health insurance coverage as required under this section; or

(ii) provide information required under this section.

(b) If the department finds, after hearing or failure to appear, that health insurance coverage has not been secured obtained or maintained in accordance with the court or administrative order, or that the obligor has failed to provide the information required, the department may assess against the obligated parent not more than \$100 for each month health insurance coverage has not been secured obtained or maintained or for each month information has not been provided. Such amounts may be enforced by any administrative remedy available to the department for the enforcement of child support obligations, including warrant for distraint provided for in 40-5-241 and income withholding provided for in Title 40, chapter 5, part 4.

~~(3) Whenever an obligated parent who has been served with notice under this section appears before the department and shows that health insurance coverage in accordance with the court or administrative order:-~~

~~(a) has been secured and maintained continuously since the date of the order, the department shall dismiss the pending action; or~~

~~(b) has not been secured or continuously maintained but such coverage is presently in effect, the department shall suspend the pending action for a period of 12 months.-~~

~~(4) At the end of the suspension period, the department may schedule a hearing. If at this hearing the department finds that during the suspension period health insurance coverage:-~~

~~(a) has been continuously maintained, the department shall dismiss the pending action and the obligated parent will not be assessed under this section; or~~

~~(b) has not been continuously maintained, the department may enter a final order requiring the obligated parent to pay the sum~~

~~assessed in accordance with this section for each month coverage was not maintained.~~

(4) The health insurance coverage must be provided under this section even though it may reduce the amount of the child support obligation or reduce the obligor's ability to pay child support as required.

(5) Any amounts collected pursuant to this section must be returned to the general fund to help offset expenditures for medic-aid."

Section 18. Section 40-5-422, MCA, is amended to read:

"40-5-422. Obligor rights protected — penalties. (1) No An employer may not discharge, discipline, or refuse to hire an obligor:

(a) because the person has a child support obligation; or

(b) because of the institution of income withholding on the obligor's income or the initiation of proceedings under this part.

(2) Any person who violates this section may be fined not more than \$500 and not less than \$150 and may be required to make full restitution to the aggrieved obligor, including reinstatement and backpay."

Renumber: subsequent section

8. Page 27.

Following: line 3

Insert: "NEW SECTION. Section 20. Coordination. If [this act] and Senate Bill No. 70 are both passed and approved, then the amendment to 40-4-204 in Senate Bill No. 70 is void."

Renumber: subsequent sections

And, as amended, be concurred in. Report adopted.

LABOR AND EMPLOYMENT RELATIONS (Russell, Chairman): 3/22/89
SB 444, be concurred in. Report adopted.

Representative Harper moved the House recess until 2:00 p.m.

Motion carried.

House recessed at 12:40 p.m.

House reconvened at 2:05 p.m. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Bardanoue, Chairman):

3/22/89

HB 769, second reading copy, be amended as follows:

1. Title, lines 6 and 7.

Following: "ACT"

Strike: "; AND" on line 6 through "APPROPRIATION" on line 7

2. Page 5, lines 9 through 12.

Strike: lines 9 through 12 in their entirety

And, as amended, do pass. Report adopted.

HB 780, introduced bill, be amended as follows:

1. Title, line 7.

Following: "ACCOUNT;"

Insert: "ALLOWING THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES AUTHORITY TO ESTABLISH JUNK VEHICLE RULES NO LATER THAN October 1, 1989;"

2. Title, line 8.

Following: ","

Strike: "AND"

3. Title, line 9.

Following: "MCA"

Insert: " , AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

4. Page 3.

Following: line 6

Insert: "NEW SECTION. Section 3. Adoption of rules. The department of health and environmental sciences shall, after seeking input from counties, licensed motor vehicle wrecking facilities, and the general public, adopt rules pertaining to the reuse and restoration of junk vehicles. The department shall adopt these rules no later than October 1, 1989."

Renumber: subsequent sections

5. Page 3, line 9.

Strike: "\$500,000"

Insert: "\$200,000"

6. Page 3.

Following: line 15

Insert: "NEW SECTION. Section 6. Effective date. [This act] is effective on passage and approval."

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:

3/22/89

HB 396, introduced by Davis
HB 465, introduced by Iverson
HB 516, introduced by Hanson
HB 524, introduced by Hansen
HB 569, introduced by Nisbet
HB 606, introduced by Grady
HB 610, introduced by Cobb
HB 642, introduced by Strizich
HB 650, introduced by Swysgood
HB 661, introduced by Rice
HB 685, introduced by Daily
HB 723, introduced by Cobb
HJR 24, introduced by Pavlovich

House bills concurred in as amended and returned to the House for concurrence in Senate amendments:

3/22/89

HB 245, introduced by Quilici
HB 336, introduced by Driscoll
HB 495, introduced by Strizich
HB 536, introduced by J. Brown
HB 595, introduced by Russell

HB 597, introduced by Darko

HB 645, introduced by Addy

House bills not concurred in and returned to the House:

3/22/89

HB 450, introduced by Giacometto

HB 508, introduced by Darko

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Iverson in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Representative Stepler excused at this time.

HB 600 - Representative Vincent moved HB 600 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: Kasten.

Total 1

Excused: Stepler.

Total 1

Absent or not voting: None.

Total 0

HB 601 - Representative O'Keefe moved HB 601 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich,

Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook,
Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Stepler.

Total 1

Absent or not voting: Bardanouve, Good.

Total 2

HB 609 - Representative Cohen moved HB 609 do pass. Motion carried
as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D.
Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen,
Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll,
Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould,
Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington,
Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick,
Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, Menahan, Mercer,
Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe,
Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez,
Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins,
Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Thoft,
Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Stepler.

Total 1

Absent or not voting: Bardanouve, McDonough, Swysgood.

Total 3

HB 619 - Representative Harper moved HB 619 be placed below
HB 722 on the second reading board. Motion carried.

HB 663 - Representative J. Brown moved HB 663 do pass. Motion car-
ried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Bradley, Brooke, J. Brown,
Campbell, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko,
Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert,
Glaser, Gould, Grady, Guthrie, Hannah, Harper, Harrington, Hayne,
Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Koehnke,
McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson,
T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson,
Phillips, Quilici, Raney, Ream, Roth, Russell, Schye, Simon, Simpkins,
Spaeth, Squires, Stang, Stickney, Strizich, Swift, Thoft, Thomas, Wallin,
Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 76

Noes: Boharski, Clark, Cobb, DeBruycker, Grinde, Hanson, Hoffman,
Kasten, Keller, Lee, Marks, Patterson, Ramirez, Rehberg, Rice, Smith,
Spring, Swysgood.

Total 18

Excused: Stepler.

Total 1

Absent or not voting: Bardanoue, D. Brown, Ellison, Good, Hansen.

Total 5

HB 716 - Representative Thomas moved HB 716 do pass.

Representative Gould made a substitute motion to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative Gould moved HB 716, second reading copy, be amended. Amendment failed. (41-57)

Thereupon, HB 716 passed as follows:

Ayes: Aafedt, Addy, Blotkamp, Boharski, D. Brown, Campbell, Clark, Cobb, Compton, DeBruycker, Eudaily, Giacometto, Gilbert, Good, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harrington, Hayne, Hoffman, Iverson, Kasten, Keller, Knapp, Lee, Marks, Mercer, R. Nelson, T. Nelson, O'Connell, Peterson, Phillips, Quilici, Ramirez, Rehberg, Rice, Roth, Simon, Simpkins, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Whalen, Zook.

Total 51

Noes: Bachini, Bardanoue, Bradley, Brooke, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Gervais, Glaser, Gould, Harper, Johnson, Kadas, Kilpatrick, Kimberley, Koehnke, McCormick, McDonough, Menahan, Moore, L. Nelson, Nisbet, O'Keefe, Owens, Patterson, Pavlovich, Peck, Raney, Ream, Russell, Schye, Smith, Spaeth, Spring, Squires, Stang, Westlake, Wyatt, Mr. Speaker.

Total 48

Excused: Stepler.

Total 1

Absent or not voting: None.

Total 0

HB 717 - Representative Grinde moved HB 717 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanoue, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cohen, Compton, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, R. Nelson, T. Nelson, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: Brooke, Cocchiarella, Cody, Connelly, Kadas, L. Nelson, Nisbet, Ream, Spring, Stang.

Total 10

Excused: Stepler.

Total 1

Absent or not voting: None.

Total 0

HB 718 - Representative Menahan moved HB 718 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Smith, Spaeth, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: Bardanouve, Cobb, DeBruycker, Kasten, Keller, R. Nelson, Peck, Simpkins, Spring.

Total 9

Excused: Stepler.

Total 1

Absent or not voting: Clark, Harrington, Knapp.

Total 3

HB 739 - Representative Boharski moved HB 739 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bardanouve, Blotkamp, Boharski, Bradley, Campbell, Clark, Cody, Compton, DeBruycker, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Guthrie, Hannah, Hanson, Harper, Hayne, Hoffman, Iverson, Kasten, Keller, Kimberley, Knapp, Lee, Marks, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peterson, Phillips, Quilici, Ramirez, Rehberg, Rice, Roth, Simon, Simpkins, Smith, Spaeth, Spring, Stickney, Swift, Swysgood, Thoft, Thomas, Wallin, Zook, Mr. Speaker.

Total 63

Noes: Bachini, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, DeMars, Elliott, Gervais, Good, Grady, Grinde, Hansen, Harrington, Johnson, Kilpatrick, Koehnke, McCormick, Pavlovich, Peck, Ream, Russell, Schye, Squires, Stang, Strizich, Westlake, Whalen, Wyatt.

Total 33

Excused: Stepler.

Total 1

Absent or not voting: Cobb, Kadas, Raney.

Total 3

Representative Stepler present at this time.

Representative Swysgood excused at this time.

HB 759 - Representative O'Connell moved HB 759 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily,

Darko, Davis, DeBruycker, DeMars, Driscoll, Gervais, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Iverson, Johnson, Kilpatrick, Kimberley, Koehnke, McCormick, McDonough, Moore, T. Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ream, Rice, Roth, Schye, Simon, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 69

Noes: Bardanouve, Bradley, Cobb, Compton, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Hannah, Hoffman, Kasten, Keller, Knapp, Lee, Marks, Mercer, L. Nelson, R. Nelson, O'Keefe, Owens, Peck, Ramirez, Raney, Rehberg, Russell, Smith, Spaeth.

Total 28

Excused: Swysgood.

Total 1

Absent or not voting: Kadas, Menahan.

Total 2

Representative Swysgood present at this time.

HB 760 - Representative Glaser moved HB 760, second reading copy, be amended as follows:

1. Title, line 10.

Following: line 9

Strike: "YELLOWSTONE COUNTY"

Insert: "EASTERN MONTANA COLLEGE"

Following: "TO"

Strike: "HELP"

Strike: "A FEASIBILITY STUDY"

Insert: "AN ECONOMIC ANALYSIS"

2. Title, line 12.

Following: "PURPOSES"

Insert: "AND FUNDING AN ECONOMIC ANALYSIS OF THE CURRENT MONETARY VALUE OF THE COMMITMENT BY THE UNITED STATES CONGRESS PURSUANT TO THE PICK-SLOAN MISSOURI BASIN PROGRAM ESTABLISHED BY THE FLOOD CONTROL ACT OF 1944 "

3. Page 1.

Following: line 15

Insert: "WHEREAS, the Pick-Sloan Missouri Basin program established under the Flood Control Act of 1944 specifically provides for a water development commitment known as the ultimate development concept, to promote water development in the Upper Missouri Basin states; and"

4. Page 2, lines 21 through 23.

Following: "the" on line 21

Strike: "water" on line 21 through "1991," on line 23

Insert: "general fund"

5. Page 2, line 23.

Following: "to"

Strike: "Yellowstone County"

Insert: "eastern Montana college"

Following: "as"

Strike: "matching"

6. Page 2, line 24.

Strike: "feasibility study"

Insert: "an economic analysis"

7. Page 2, line 25 through page 3, line 1.

Following: "on" on page 2, line 25

Strike: "reservoir" through "area" on page 3, line 1

Insert: "the current economic value of the commitment by the United States congress to promote water development in the upper Missouri basin states pursuant to the Pick-Sloan Missouri basin program established by the Flood Control Act of 1944"

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cody, Cohen, Compton, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Cocchiarella, Connelly, Peck.

Total 3

Excused: Swysgood.

Total 1

Absent or not voting: Spring.

Total 1

Representative Swysgood present at this time.

Representative Hannah moved HB 760, as amended, do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bardanouve, Blotkamp, Boharski, D. Brown, Campbell, Clark, Cohen, Compton, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.

Total 85

Noes: Bachini, Bradley, Brooke, Cocchiarella, Cody, Connelly, Elliott, McCormick, Nisbet, Peck, Stang, Wyatt.

Total 12

Excused: None.

Total 0

Absent or not voting: J. Brown, Cobb, Marks.

Total 3

HB 763 - Representative Addy moved HB 763 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Kasten, Lee, Owens, Smith.

Total 4

Excused: None.

Total 0

Absent or not voting: Ramirez, Spaeth.

Total 2

HB 765 - Representative Vincent moved HB 765, second reading copy, be amended as follows:

1. Page 20, line 1.

Following: "TO"

Strike: "GENERAL"

Insert: "in-state investment"

2. Page 20, line 18.

Following: "THE"

Strike: "GENERAL"

Insert: "in-state investment"

3. Page 21, line 2.

Strike: "GENERAL"

Insert: "in-state investment"

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Eudaily, Hayne, Owens, Smith.

Total 4

Excused: None.

Total 0

Absent or not voting: D. Brown, Ellison.

Total 2

Representative Vincent moved HB 765, as amended, do pass. Motion carried as follows:

Ayes: Addy, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Gilbert, Glaser, Gould, Grinde, Hansen, Harper, Harrington, Iverson, Kadas, Kilpatrick, Kimberley, Koehnke, McCormick, McDonough, Menahan, Moore, L. Nelson, Nisbet, O'Connell, Pavlovich, Quilici, Raney, Ream, Russell, Schye, Spaeth, Squires, Stang, Steppler, Stickney, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 57

Noes: Aafedt, Bachini, Bardanouve, Boharski, Campbell, Clark, Ellison, Giacometto, Good, Guthrie, Hannah, Hanson, Hayne, Hoffman, Johnson, Kasten, Keller, Knapp, Lee, Marks, Mercer, R. Nelson, T. Nelson, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Ramirez, Rehberg, Roth, Simpkins, Smith, Spring, Swift, Thomas, Zook.

Total 38

Excused: None.

Total 0

Absent or not voting: DeBruycker, Grady, Rice, Simon, Strizich.

Total 5

HB 768 - Representative Marks moved HB 768, second reading copy, be amended as follows:

1. Page 2, line 10.

Following: "Appropriation."

Strike: "(1)"

2. Page 2, lines 16 through 19.

Strike: lines 16 through 19 in their entirety

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Menahan, O'Keefe, Rice, Stepler.

Total 4

Representative Addy moved HB 768, as amended, do pass. Motion carried as follows:

Ayes: Addy, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Gervais, Grady, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, McDonough, Menahan, Moore, R. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Quilici, Raney, Ream, Rice, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 58

Noes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, Campbell, Cobb, Cody, DeBruycker, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Hayne, Kasten, Lee, McCormick, Mercer, L. Nelson, T. Nelson, Patterson, Peck, Peterson, Phillips, Ramirez, Rehberg, Roth, Stepler, Swift, Swysgood, Thoft, Zook.

Total 41

Excused: None.

Total 0

Absent or not voting: Marks.

Total 1

HB 772 - Representative Simpkins moved HB 772, second reading copy, be amended as follows:

1. Title, line 7.

Strike: "PROPRIETARY FUND"

Insert: "GENERAL FUND"

Amendment passed as follows:

Ayes: Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Daily, Hansen, Peck, Stang.

Total 4

Excused: None.

Total 0

Absent or not voting: Aafedt, Bardanouve, D. Brown, Marks, Quilici.

Total 5

Representative Simpkins moved HB 772, as amended, do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, J. Brown, Campbell, Clark, Cobb, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Keller, Kilpatrick, Kimberley, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Steppler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: Brooke, Cocchiarella, Elliott, Kadas, Kasten, Lee, Ream, Stang, Swysgood.

Total 9

Excused: None.

Total 0

Absent or not voting: D. Brown, Ellison, Knapp.

Total 3

HB 619 - Representative Bardanouve moved HB 619 be placed below HB 778 on the second reading board. Motion carried.

HB 775 - Representative Connelly moved HB 775 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Aafedt, Ellison.

Total 2

HB 776 - Representative Connelly moved HB 776 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Driscoll, Stang.

Total 2

Excused: None.

Total 0

Absent or not voting: Marks, Peterson.

Total 2

HB 777 - Representative Connelly moved HB 777 do pass.

Representative Marks made a substitute motion to revert to the body of the bill for purpose of amendment.

Representative Marks moved HB 777, second reading copy, be amended. Amendment failed. (50-50)

Representative Gould excused at this time.

Representative Bradley moved HB 777, second reading copy, be amended. Amendment failed. (23-73)

Thereupon, HB 777 passed as follows:

Ayes: Addy, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, Elliott, Gervais, Gilbert, Glaser, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, McCormick, McDonough, Menahan, Mercer, Moore, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Quilici, Ramirez, Ream, Rehberg, Roth, Russell, Schye, Simon, Spaeth, Squires, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Wallin, Wyatt, Zook, Mr. Speaker.

Total 65

Noes: Aafedt, Bachini, Bradley, Cobb, DeBruycker, DeMars, Driscoll, Ellison, Eudaily, Giacometto, Good, Grinde, Guthrie, Hayne, Hoffman, Kasten, Koehnke, Lee, Marks, L. Nelson, Owens, Patterson, Peck, Peterson, Phillips, Raney, Simpkins, Smith, Spring, Stang, Swift, Westlake, Whalen.

Total 33

Excused: Gould.

Total 1

Absent or not voting: Rice.

Total 1

HB 778 - Representative Connelly moved HB 778 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: DeBruycker, Driscoll, Giacometto, Guthrie, Owens, Spring, Whalen.

Total 7

Excused: Gould.

Total 1

Absent or not voting: D. Brown, Harrington, Kadas, Thomas.

Total 4

HB 619 - Representative Bardanouve moved HB 619, second reading copy, be amended as follows:

1. Page 8.

Following: line 13

Insert: "OFFICE OF PUBLIC INSTRUCTION

EESA Title II Grant	1989	\$100,000	Federal Special
Melon Grant	1989	28,817	Federal Special
AIDS Grant	1989	128,000	Federal Special
EHA-D Grant	1989	30,000	Federal Special
Carl Perkins — Vo Ed	1989	400,000	Federal Special
Indirect Costs on:			
EESA Title II	1989	2,800	State Special
AIDS Grant	1989	17,284	State Special
EHA-D	1989	5,510	State Special

The unexpended fiscal year 1989 AIDS, EESA Title II, Melon, and EHA-D grant authority is reappropriated for fiscal year 1990."

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grady, Guthrie, Harper, Harrington, Hoffman, Iverson, Johnson, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 82

Noes: Cobb, DeBruycker, Grinde, Hannah, Hanson, Hayne, Kasten, Lee, Marks, Owens, Phillips, Smith.

Total 12

Excused: Gould.

Total 1

Absent or not voting: D. Brown, Clark, Hansen, Kadas, O'Connell.

Total 5

Representative Bardanouve moved HB 619, as amended, do pass.
Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, J. Brown, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Elliott, Eudaily, Gervais, Gilbert, Good, Grady, Hansen, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Koehnke, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Pavlovich, Peck, Quilici, Raney, Ream, Rice, Russell, Schye, Simpkins, Smith, Spaeth, Squires, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 68

Noes: Boharski, Campbell, Clark, Cobb, DeBruycker, Driscoll, Ellison, Giacometto, Glaser, Grinde, Guthrie, Hannah, Hanson, Hayne, Keller, Knapp, Lee, Marks, O'Keefe, Owens, Patterson, Peterson, Phillips, Ramirez, Rehberg, Roth, Simon, Spring, Stang, Swift.

Total 30

Excused: Gould.

Total 1

Absent or not voting: D. Brown.

Total 1

HB 786 - Representative Harrington moved HB 786, second reading copy, be amended. Amendment failed. (39-61)

Representative Simon assumed the Chair at this time.

Representative Menahan moved HB 786, second reading copy, be amended. Amendment failed. (38-59)

Representative Russell excused at this time.

Representative Menahan moved HB 786, second reading copy, be amended. Amendment failed. (45-55)

Representative Driscoll moved HB 786, second reading copy, be amended. Amendment failed. (49-51)

Representative Swysgood moved HB 786, second reading copy, be amended as follows:

1. Page 17, line 8.

Strike: "\$16,900,000"

Insert: "\$17,227,616"

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton,

Connelly, Daily, Darko, Davis, DeMars, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rice, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.
Total 89

Noes: D. Brown, Campbell, DeBruycker, Driscoll, Giacometto, Hannah, Lee, McCormick, Rehberg, Roth, Wyatt.
Total 11

Paired: Gould, Russell, Ayes; Giacometto, Rehberg, Noes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Representative Harper moved HB 786, second reading copy, be amended as follows:

1. Page 4, line 10.

Strike: "The" through "on"

Insert: "On"

2. Page 4, lines 10 and 11.

Strike: "is" on line 10 through "amount" on line 11

3. Page 4, line 11.

Strike: "corresponding" through "and"

Insert: ", each teacher shall advance three steps on the appropriate pay schedule for fiscal year 1990 from"

Following: "step"

Insert: "that he"

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: Boharski, Campbell, Cobb, Grinde, Kasten, Lee, Smith, Swysgood, Thoft.
Total 9

Excused: Gould.
Total 1

Absent or not voting: None.

Total 0

Representative Ream moved HB 786, second reading copy, be amended. Amendment failed. (45-54)

Representative Ream moved HB 786, second reading copy, be amended. Amendment failed. (43-53)

Representative Addy moved HB 786, as amended, do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Harper, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Mercer, L. Nelson, R. Nelson, T. Nelson, O'Connell, O'Keefe, Patterson, Peck, Peterson, Phillips, Ramirez, Rehberg, Rice, Roth, Russell, Schye, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Zook.

Total 75

Noes: Bradley, Brooke, D. Brown, Connelly, Daily, Darko, Driscoll, Gervais, Hansen, Hanson, Harrington, Hayne, Lee, Menahan, Nisbet, Owens, Pavlovich, Quilici, Raney, Ream, Whalen, Wyatt, Mr. Speaker.

Total 23

Paired: Gould, Aye; Menahan, No.

Excused: None.

Total 0

Absent or not voting: Moore, Simon.

Total 2

Representative Harper moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Iverson moved the adoption of the committee report. Report adopted. (68-24)

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

3/22/89

Correctly printed: HB 699.

Correctly engrossed: HB 200, HB 526, HB 550, HB 552, HB 601, HB 609.

Correctly enrolled: HB 171, HB 264, HB 412, HB 492, HB 708, HJR 9, HJR 20.

Examined by the sponsors and found to be correct:

HB 171 - Swift

HB 264 - Hannah

HB 412 - Bradley

HB 492 - Spaeth

HB 708 - Simon

HJR 9 - Mercer

HJR 20 - Spaeth

Signed by the Speaker at 2:00 p.m., 3/22/89: SB 17, SB 60, SB 78, SB 80, SB 192, SB 193, SB 214, SB 298, SB 326, SB 346, SB 367, SB 401, SB 402.

AGRICULTURE, LIVESTOCK, AND IRRIGATION (Bachini, Chairman):
3/22/89

SB 432, third reading copy, be amended as follows:

1. Title, line 9.

Following: "ELECTORS;"

Insert: "REVISING VOTING PROCEDURES;"

2. Title, line 11.

Following: "FUNCTIONS;"

Insert: "DEFINING IRRIGABLE LAND;"

3. Page 1, line 19.

Strike: "irrigated"

Insert: "irrigable"

Following: "THE"

Insert: "division of the"

4. Page 1, line 20.

Following: "DISTRICT"

Insert: "he is to represent"

5. Page 1, lines 22 and 23.

Strike: "for which the commissioner is to be elected"

6. Page 1, line 23.

Following: "situated"

Insert: "is situated"

7. Page 1, line 25 through page 2, line 1.

Following: "until" on line 25

Strike: remainder of line 25 through "until" on page 2, line 1

8. Page 2, line 18.

Strike: "irrigated"

Insert: "irrigable"

9. Page 2, line 19.

Following: "shall"

Insert: "he represents"

10. Page 2, line 20.

Following: "the"

Insert: "county in which the"

11. Page 2, line 21.

Strike: "for which"

Strike: "the commissioner is"

12. Page 2, line 22.

Strike: "elected"

Following: "situated;"

Strike: "and"

Insert: "or some portion of the division is situated. A commissioner appointed under this section"

13. Page 3, line 4.

Strike: "irrigated"

Insert: "irrigable"

14. Page 5, line 7.

Strike: "The balloting ~~shall~~ must take place in the following manner"

Insert: "(4) The board of commissioners shall choose one of the following methods of balloting"

Following: ":",

Insert: "(a)"

15. Page 5, line 11.

Following: "10"

Insert: " , or

(b) the elector shall submit a ballot that includes the number of acres owned and the number of votes being cast"

16. Page 7.

Following: line 16

Insert: "NEW SECTION. Section 5. Definition of irrigable land. As used in this chapter, "irrigable land" means:

(1) land that can receive irrigation water and is classified as irrigable by the district or the United States government; or

(2) land decreed as taxable acreage under 85-7-1841 through 85-7-1845.

NEW SECTION. Section 6. Codification instruction. [Section 5] is intended to be codified as an integral part of Title 85, chapter 7, and the provisions of Title 85, chapter 7, apply to [section 5]."

And, as amended, be concurred in. Report adopted.

APPROPRIATIONS (Bardanoue, Chairman):

3/22/89

HB 543, third reading copy, be amended as follows:

1. Title, lines 13 and 14.

Strike: "OR" on line 13 through "DEPENDENTS" on line 14

2. Title, line 16.

Strike: "A"

Insert: "CERTAIN"

3. Title, lines 16 and 17.

Strike: "OFFICER'S" on line 16 through "PREMIUM" on line 17

Insert: "OFFICERS' PREMIUMS"

4. Page 1, line 25 and page 2, line 1.

Strike: "or" on page 1, line 25 through "dependents" on page 2, line 1

Insert: "hired on or before March 31, 1986,"

5. Page 2, line 8.

Following: "for"

Insert: "certain"

6. Page 2, lines 8 and 9.

Strike: " , spouses" on line 8 through "dependents" on line 9

7. Page 2, line 9.

Strike: "The"

Insert: "Subject to the restrictions in subsection (3), the"

8. Page 2, line 11.

Strike: "including"

Insert: "excluding"

9. Page 2, line 15.

Strike: "retiring"

Insert: "hired on or before March 31, 1986, who retires"

10. Page 2, line 16.

Following: "1989,"

Insert: "and"

11. Page 2, line 18.

Following: "officer"

Insert: "hired on or before March 31, 1986,"

12. Page 2, lines 19 and 20.

Following: "1989,"

Strike: "or" on line 19 through "dependents" on line 20

Insert: "and"

13. Page 2, line 20.

Strike: "are members"

Insert: "is a member"

14. Page 2, lines 22 and 23.

Strike: "or" on line 22 through "dependents on line 23

Insert: "hired on or before March 31, 1986,"

15. Page 2, line 23.

Strike: "elect"

Insert: "elects"

Strike: "members"

Insert: "a member"

16. Page 3, line 1.

Following: "officer"

Strike: "or" through "dependents"

17. Page 3, line 2.

Strike: "or" through "beneficiary's"

18. Page 3.

Following: line 3

Insert: "(3) (a) The partial premium payment made under subsection (1) may not exceed one-half of the premium in effect on July 1, 1989, for similar coverage.

(b) A retired officer otherwise qualified under subsection (1) who is employed in a position covered by a retirement system under Title 19, chapters 3 through 13, and his spouse and dependents are ineligible for the partial premium payment provided for in this section until the retired officer terminates his employment in the covered position."

19. Page 6, line 18.

Strike: "state treasurer"

Insert: "department of justice"

20. Page 6, lines 20 and 21.

Strike: "department" on line 20 through "I" on line 21

Insert: "state employee group benefits plan's reserve fund"

And, as amended, do pass. Report adopted.

HB 785, introduced bill, be amended as follows:

1. Page 2.

Following: line 8

Insert: "Rural Education Facility
at Western Montana College \$520,000"

And, as amended, do pass. Report adopted.

JUDICIARY (D. Brown, Chairman):

3/22/89

SB 433, be concurred in. Report adopted.

SB 442, be concurred in. Report adopted.

SB 452, be concurred in. Report adopted.

LABOR AND EMPLOYMENT RELATIONS (Russell, Chairman): 3/22/89

SB 428, third reading copy, be amended as follows:

1. Title, line 16.

Following: "2-18-103,"

Insert: "19-3-1002, 19-3-1007, 19-3-1202, 19-13-601, 33-1-102,"

Following: "33-2-119,"

Insert: "33-16-1005, 33-16-1011,"

2. Title, line 17.

Following: "37-72-101,"

Insert: "39-1-103,"

Following: "39-71-206,"

Insert: "39-71-207,"

3. Page 2, line 24 through page 3, line 1.

Strike: line 24 through "is." on page 3, line 1

4. Page 3, line 1.

Strike: "not"

5. Page 3, line 3.

Strike: ", except for"

Insert: "and shall insure"

6. Page 3, lines 24 and 25.

Following: "corporation." on line 24

Strike: remainder of line 24 through "not" on line 25

Insert: "The state fund is"

7. Page 4, line 1.

Following: "may"

Insert: "not"

8. Page 4, line 2.

Strike: ", except a state agency"

Insert: "unless an assigned risk plan is established under [section 12]
and is in effect"

9. Page 4, line 14.

Strike: "12"

Insert: "11"

10. Page 6, line 24.

Strike: "12"

Insert: "11"

11. Page 7, line 2.

Strike: "12"

Insert: "11"

12. Page 9, line 18.

Following: "fund."

Insert: "The state fund is not a member insurer for the purposes of the insurance guaranty association established pursuant to Title 33, chapter 10, part 1."

13. Page 9, lines 22 and 23.

Strike: "12" on line 22

Insert: "11"

Strike: "and" on line 22 through "12]" on line 23

14. Page 9, line 24.

Following: "(3)"

Strike: "The"

Insert: "If an assigned risk plan is established and administered pursuant to [section 12], the"

15. Page 10, line 10 through page 11, line 5.

Strike: section 12 in its entirety

Renumber: subsequent sections

16. Page 11, lines 6 and 7.

Strike: "The commissioner of insurance shall promulgate"

Insert: "Following the date on which the provisions of [this act] are implemented but no later than December 31, 1990, the commissioner of the department of labor and industry may order the establishment of"

17. Page 11, line 11.

Following: "methods."

Insert: "In determining whether to order an assigned risk plan to be established, the commissioner shall consider the effect a plan would have on the availability of workers' compensation insurance and the need to provide competitive workers' compensation premium rates for employers in this state. If the commissioner orders the establishment of an assigned risk plan, it may not take effect until at least 6 months following the commissioner's order creating the plan."

18. Page 11.

Following: line 18

Insert: "(4) If an assigned risk plan is established and in effect, the state fund, plan No. 3, is not required to insure any employer in this state requesting coverage, and it may refuse coverage for an employer, except for a state agency.

(5) If an assigned risk plan is established and in effect, an employer who is refused the coverage required by this chapter by the state fund, plan No. 3, and by at least two private insurers, plan No. 2, may be assigned coverage by the commissioner under the assigned risk plan pursuant to the procedure established by the commissioner for the equitable apportionment of coverage."

19. Page 12, line 3.

Page 14, lines 1, 2, 9, and 12.

Page 16, lines 8, 10, and 13.

Page 17, lines 15, 20, and 23.

Page 18, lines 2, 3, and 9.

Page 19, lines 8, 9, 11, and 12.

Page 20, lines 3, 14, 15, 20 (two places), and 23.

Page 21, lines 5, 6 (two places), 11, and 14.

Page 23, line 24.

Page 24, lines 4, 10, and 14.
Page 25, lines 5, 14, and 23 (two places).
Page 26, lines 5 and 9.
Page 27, line 4.
Page 28, lines 1 and 5.
Page 30, line 3.
Page 34, line 10.
Page 35, line 4.
Page 42, lines 3, 5, 6, and 14.
Page 46, line 23.
Page 47, lines 17 and 23.
Strike: "division", "DIVISION", "division", and "DIVISION"
Insert: "department"

20. Page 13, lines 10 through 12.
Strike: subsection (7) in its entirety
Renumber: subsequent subsections

21. Page 30, lines 16 and 17.
Following: "due" on line 16
Strike: remainder of line 16 through "EXPOSURE" on line 17

22. Page 37, line 22.
Following: "capacity;"
Insert: "or"

23. Page 38, line 4.
Strike: "; or"

24. Page 38, lines 5 through 8.
Strike: "(c)" on line 5 through "33-18-212" on line 8

25. Page 39, lines 11 through 16.
Strike: lines 11 through 16 in their entirety

26. Page 43, line 14.
Strike: "13"
Insert: "12"

27. Page 45, line 8.
Strike: "workers' compensation division"
Insert: "department"

28. Page 45, lines 21 through 23.
Following: "(c)" on line 21
Strike: remainder of line 21 through line 23
Insert: "'department" means the department of labor and industry;"

29. Page 46, line 25 through page 47, line 2.
Following: "(3)" on line 25
Strike: remainder of line 25 through page 47, line 2
Insert: "'Department" means the department of labor and industry."

30. Page 47, lines 14 through 16.
Following: "(1)" on line 14
Strike: remainder of line 14 through "industry" on line 16
Following: "~~2-15-1702~~"
Insert: "'Department" means the department of labor and industry"

31. Page 48.
Following: line 23
Insert: "Section 50. Section 39-1-103, MCA, is amended to read:

"39-1-103. Powers of department. (1) In discharging the duties imposed upon the department, the commissioner or his authorized representatives may administer oaths, examine witnesses under oath, take depositions or cause same to be taken, deputize any citizen 18 years of age or older to serve subpoenas upon witnesses, and issue subpoenas for the attendance of witnesses before him in the same manner as for attendance before district courts.

(2) The commissioner may likewise cause to be inspected any mine, factory, workshop, smelter, mill, warehouse, elevator, foundry, machine shop, or other industrial establishment.

~~(3) Nothing herein contained shall in any manner confer upon the commissioner the authority to interfere in any manner with the conduct of the matters under the control of the workers' compensation division, nor shall the commissioner be charged with the duty of enforcing any of the laws of the state pertaining to the affairs of the workers' compensation division or with the enforcement of the safety provisions of the Workers' Compensation Act.~~

~~(4)~~(3) Nothing in this chapter applies to labor violations preempted by federal law or regulation."

Section 51. Section 39-71-207, MCA, is amended to read:

"39-71-207. Merit system. Employees of the ~~division, except the administrator,~~ department are included within the joint merit system if such inclusion is required for the receipt of federal funds by 29 CFR 1902.3(h) or by any other federal law or regulation."

Section 52. Section 33-1-102, MCA, is amended to read:

"33-1-102. Compliance required — exceptions — health service corporations — health maintenance organizations — governmental insurance programs. (1) No person shall transact a business of insurance in Montana or relative to a subject resident, located, or to be performed in Montana without complying with the applicable provisions of this code.

(2) No provision of this code shall apply with respect to:

(a) domestic farm mutual insurers as identified in chapter 4, except as stated in chapter 4;

(b) domestic benevolent associations as identified in chapter 6, except as stated in chapter 6; and

(c) fraternal benefit societies, except as stated in chapter 7.

(3) This code applies to health service corporations as prescribed in 33-30-102. The existence of such corporations is governed by Title 35, chapter 2, and related sections of the Montana Code Annotated.

(4) This code does not apply to health maintenance organizations to the extent that the existence and operations of such organizations are authorized by chapter 31.

(5) This code does not apply to workers' compensation insurance programs provided for in Title 39, chapter 71, ~~parts~~ part 21 ~~and 23~~, and related sections.

(6) This code does not apply to the state employee group insurance program established in Title 2, chapter 18, part 8.

(7) This code does not apply to insurance funded through the state self-insurance reserve fund provided for in 2-9-202.

(8) (a) This code does not apply to any arrangement, plan, or interlocal agreement between political subdivisions of this state whereby the political subdivisions undertake to separately or jointly indemnify one another by way of a pooling, joint retention, deductible, or self-insurance plan.

(b) This code does not apply to any arrangement, plan, or interlocal agreement between political subdivisions of this state or any arrangement, plan, or program of a single political subdivision of this state whereby the political subdivision provides to its officers, elected officials, or employees disability insurance or life insurance through a self-funded program."

Section 53. Section 33-16-1005, MCA, is amended to read:

"33-16-1005. Membership in rating organization required — exception — filings with commissioner. (1) Every insurer, ~~except the division of workers' compensation including the state compensation mutual insurance fund~~, writing workers' compensation insurance in this state shall be a member of a workers' compensation rating organization. No insurer may, at the same time, belong to more than one rating organization with respect to such insurance.

(2) A rating organization shall file with the insurance commissioner every manual of classifications and rules and every rating plan and advisory manual rates, including every modification of the foregoing. Every such filing shall state the effective date thereof. Any insurer writing pursuant to compensation plan No. 2 shall adhere to the manual rules and classifications and rating plans of the rating organization of which it is a member and may adopt by reference, in whole or in part, the advisory manual rates filed under this section. Nothing in this section, however, requires adherence by any insurer to any rates established or published by any rating organization."

Section 54. Section 33-16-1011, MCA, is amended to read:

"33-16-1011. Classification and rating committee — membership — term. (1) There is a classification and rating committee.

(2) The committee is composed of five voting members, consisting of:

(a) three representatives of private insurance carriers writing workers' compensation insurance in Montana. The members must reside in Montana and shall be appointed by the Montana commissioner of insurance.

(b) one licensed independent insurance agent who resides in Montana, appointed by the Montana commissioner of insurance; and

(c) one representative of the ~~division of workers' compensation state compensation mutual insurance fund~~ who is an employee of the ~~division state fund~~ and who ~~shall be~~ is appointed by the ~~administrator of the division~~ executive director of the state fund.

(3) Each member shall hold office for a period of 3 years. Any appointee who fills the vacancy of a member whose term has not expired shall fill only the remaining term and may be reappointed for a full term.

(4) Before appointments are to be made by the commissioner of insurance under subsections (2)(a) and (2)(b) above, established private organizations representing insurance carriers and independent insurance agents may submit names of individuals they recommend for appointments. The commissioner of insurance shall give consideration to such names submitted before appointments are made. However, the commissioner of insurance is not required to appoint any person from the names submitted.

(5) The committee shall be funded from the operations budget of the rating organization. Committee members may, if they request, be paid their actual and necessary travel expenses."

Section 55. Section 19-3-1007, MCA, is amended to read:

"19-3-1007. Allowance for duty-related disability. (1) The annual amount of retirement allowance payable to a member eligible for disability retirement for duty-related reasons and granted prior to July 1, 1977, is 50% of his final compensation. However, the annual amount of retirement allowance is 25% of final compensation for any period during which the member has been awarded ~~compensation by the workers' compensation division~~ compensation, whether such compensation is received in periodic payments or in a lump sum. The annual amount of retirement allowance reverts to 50% of final compensation at the end of such period.

(2) Any retired member receiving a retirement allowance on July 1, 1977, who has previously been granted a duty-related disability under provisions in effect on June 30, 1977, will be subject to the provisions of this section after July 1, 1977."

Section 56. Section 19-3-1002, MCA, is amended to read:

"19-3-1002. Eligibility for disability retirement. (1) Except as provided in subsection (2) and 19-3-1004, a member who is not eligible for service or early retirement but has completed 5 years of creditable service and has become disabled while in active service, as defined in 19-3-1001, is eligible for disability retirement.

(2) A member age 60 or older who has completed 5 years of creditable service and has had a duty-related accident forcing him to terminate his employment but who has not received or is ineligible to receive workers' compensation benefits under Title 39, chapter 71, for the duty-related accident may conditionally waive his eligibility for a service retirement to be eligible for disability retirement. The waiver is effective only upon approval by the board of his application for disability retirement. The board shall determine whether a member has become disabled under the provisions of 19-3-1003. The board may request any information on file with the ~~workers' compensation division~~ state compensation mutual insurance fund concerning the duty-related accident. If no information is available, the board may request and the ~~division~~ state fund shall provide an investigative report on the disabling accident."

Section 57. Section 19-3-1202, MCA, is amended to read:

"19-3-1202. Amount of death benefit. The amount of death benefit is the sum of (1), (2), and (3) as follows:

(1) the member's accumulated contributions;

(2) an amount equal to one-twelfth of the compensation received by the member during the last 12 months of such compensation multiplied by the smaller of six or the number of years of his creditable service; provided, however, that this portion of the death benefit is not payable if the board receives a certification from the ~~workers' compensation division of the state of Montana~~ state compensation mutual insurance fund that it is paying compensation because the member's death resulted from injury or disease arising out of or in the course of employment; and

(3) the accumulated interest on the amounts in subsections (1) and (2) of this section to the first day of the month in which the benefit is paid."

Section 58. Section 19-13-601, MCA, is amended to read:

"19-13-601. Deduction remitted to firemen's association — member's contributions. (1) Each employer shall retain from the monthly compensation of each active member a sum equal to 1% of his monthly compensation for his services as a firefighter and shall remit this amount on a monthly basis to the Montana state firemen's association for the payment of premiums on a group life and accidental death and dismemberment insurance policy for members and to defray expenses incurred by the association when representing members of the plan.

(2) The member's contribution to the retirement system for each active member is 6% of his monthly compensation.

(3) If a member receives compensation under the provisions of the Workers' Compensation Act, Title 39, Chapter 71, the amount received must be included as part of his monthly compensation for purposes of determining contributions and service credits under the retirement system. Contributions made under this section, 19-13-604, and 19-13-605 must be based on the total compensation received by the member from his employer and from ~~the workers' compensation division~~ during the period of disability.

(4) Each employer, pursuant to section 414(h)(2) of the federal Internal Revenue Code, as amended and applicable on July 1, 1987, shall pick up and pay the contributions which would be payable by the member under subsection (2) for service rendered after June 30, 1987.

(5) The member's contributions picked up by the employer must be designated for all purposes of the retirement system as the member's contributions, except for the determination of a tax upon a distribution from the retirement system. These contributions must become part of the member's accumulated contributions but must be accounted for separately from those previously accumulated.

(6) The member's contributions picked up by the employer must be payable from the same source as is used to pay compensation to the member and must be included in the member's monthly compensation as defined in 19-13-104. The employer shall deduct from the member's compensation an amount equal to the amount of the member's contributions picked up by the employer and remit the total of the contributions to the board.""

Renumber: subsequent sections

Strike: "and"
Following: "through"
Strike: "12"
Insert: "11, 44, and 45"

33. Page 49, line 10.
Strike: "and"
Following: "through"
Strike: "12"
Insert: "11, 44, and 45"

34. Page 49, line 15.
Strike: "13"
Insert: "12"

35. Page 49, line 17.
Strike: "13"
Insert: "12"

36. Page 49, line 19.
Following: line 18
Insert: "(1)"

37. Page 49, line 24.
Following: line 23
Insert: "(2) It is intended that current employees of the division of workers' compensation whose functions are transferred to the state compensation mutual insurance fund shall retain employment rights consistent with their positions at the time of transfer."

38. Page 50.
Following: line 7
Insert: "NEW SECTION. Section 64. Name change — code commissioner instruction. (1) In the provisions of the Montana Code Annotated, the terms "division of workers' compensation", "division", and "workers' compensation division", meaning the division of workers' compensation, are changed to "department of labor and industry" or "department", meaning the "department of labor and industry".

(2) The code commissioner shall designate, in a manner consistent with [this act], workers' compensation insurance regulatory functions allocated to the division of workers' compensation by the 51st legislature to the department of labor and industry that are not so designated by [this act].

(3) Wherever it appears in 39-71-205, 39-71-222 through 39-71-224, 39-71-613, 39-71-902, 39-71-904, 39-71-910, or in law enacted by the 51st legislature, the code commissioner is directed to change the term "administrator" or "his" to "department", meaning the department of labor and industry."

Renumber: subsequent section

39. Page 50, line 9.
Following: "50"
Strike: "54, 55"
Insert: "39, 60 through 64"

40. Page 50, line 11.
Strike: "and"
Following: "through"
Insert: "38, and 40 through"

Strike: "53"
Insert: "59"

41. Page 50, line 13.

Strike: "55"
Insert: "63"
Strike: "October 1, 1989"
Insert: "January 1, 1990"

And, as amended, be concurred in. Report adopted.

SB 429, third reading copy, be amended as follows:

1. Page 2, line 19.

Following: "employer."

Insert: "If the employee is found not guilty of the criminal offense, the district court may order the employer to pay the employee any wages due, including interest."

And, as amended, be concurred in. Report adopted.

TAXATION (Harrington, Chairman):

3/22/89

HB 280, introduced bill, be amended as follows:

1. Title, line 4.

Following: "TO"

Strike: "PHASE-IN"

Insert: "ALLOW"

Following: "THE"

Insert: "PARTIAL"

2. Title, line 5.

Following: "RECEIVED"

Insert: "AS AN ANNUITY OR PENSION, INCLUDING PAYMENTS RECEIVED"

3. Title, line 7.

Following: "BENEFITS"

Insert: " , "

Following: "INCOME"

Strike: "LIMITATIONS"

4. Title, lines 8 through 10.

Following: "TAX" on line 8

Strike: remainder of line 8 through "TAX" on line 10

5. Title, line 11.

Following: "AMENDING"

Strike: "SECTIONS 15-6-134, 15-6-142, AND"

Insert: "SECTION"

6. Page 1, line 16 through page 5, line 6.

Strike: sections 1 and 2 in their entirety

Renumber: subsequent sections

7. Page 5, lines 13 and 14.

Strike: " , " on line 13 through "(a)" on line 14

Insert: " , "

8. Page 5, line 16.

Strike: "(i)"

Insert: "(a)"

Renumber: subsequent subsections

9. Page 5, line 18.

Following: "~~benefits~~"

Insert: "(including Railroad Retirement Act benefits and veterans' disability benefits)"

10. Page 5, line 24.

Strike: "and"

11. Page 6, line 1.

Following: "and"

Insert: "and"

12. Page 6, line 2.

Strike: "(b)"

Insert: "(h)"

Strike: "excluding"

13. Page 6, lines 3 through 21.

Following: "security-" on line 3

Strike: the remainder of line 3 through "disability benefits" on line 21

14. Page 7, line 12.

Following: "subtracting"

Insert: "the greater of"

Following: "\$4,000"

Insert: "or 50% of total retirement benefits"

And, as amended, do pass. Report adopted.

HB 664, do pass. Report adopted.

MOTIONS

Representative Harper moved the rules be suspended to allow consideration of HB 100 and HB 786 on third reading the 67th legislative day. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved the House adjourn until 8:00 a.m., Thursday, March 23, 1989.

Motion carried.

House adjourned at 8:20 p.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

SIXTY-SEVENTH LEGISLATIVE DAY

Helena, Montana
March 23, 1989

House Chambers
State Capitol

House convened at 8:15 a.m., Mr. Speaker in the Chair. Invocation by Reverend George Harper. Pledge of Allegiance to the Flag.

Roll call. All members present except Aafedt and McDonough, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the sixtieth, sixty-first, and sixty-second legislative days, find the same to be correct.

Menahan, Chairman

Representative Harper moved the House recess until 9:00 a.m.

Motion carried.

House recessed at 8:20 a.m.

House reconvened at 9:35 a.m. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 3/23/89
Correctly printed: HB 280, HB 543, HB 664, HB 769, HB 780, HB 785.

Correctly engrossed: HB 173, HB 234, HB 583, HB 600, HB 619, HB 663, HB 716, HB 717, HB 718, HB 739, HB 759, HB 760, HB 763, HB 765, HB 768, HB 772, HB 775, HB 776, HB 777, HB 778.

APPROPRIATIONS (Bardanouve, Chairman): 3/23/89

HB 709, do pass. Report adopted.

HB 730, do pass. Report adopted.

HB 782, introduced bill, be amended as follows:

1. Page 3, lines 10 and 11.

Following: "examiners"

Strike: ", who serve at his pleasure"

And, as amended, do pass. Report adopted.

REPORTS OF SELECT COMMITTEES

Conference Committee
on Senate Bill 77

Report No. 1, March 22, 1989

Mr. President and Mr. Speaker:

We, your Conference Committee on Senate Bill 77 met and considered:

The House Committee of the Whole amendments to SB 77 (third reading copy — blue) offered by Rep. Darko and dated March 4, 1989.

The House Committee of the Whole amendments to SB 77 (third reading copy — blue) offered by Rep. Boharski and dated March 7, 1989.

We recommend that SB 77 (reference copy — salmon) be amended as follows:

1. Title, lines 4 and 5.

Strike: "TO" on line 4 through "COMMISSIONERS" on line 5

2. Title, line 8.

Following: "25"

Strike: "BY UP TO 10"

Insert: "IN FOURTH, FIFTH, SIXTH, AND SEVENTH CLASS
COUNTIES FROM 18 MILLS TO 23 MILLS AND IN ALL
OTHER COUNTIES FROM 15 MILLS TO 20"

Following: "MILLS"

Strike: "IF APPROVED BY THE ELECTORATE"

3. Page 1, line 13.

Strike: "(A)"

4. Page 1, line 17.

Following: "20"

Strike: "15"

Insert: "20"

5. Page 1, line 19.

Following: "22"

Strike: "18"

Insert: "23"

6. Page 1, line 23 through page 2, line 2.

Strike: subsection (B) in its entirety

And this Conference Committee report be adopted.

For the Senate:

Beck, Chairman
Vaughn
Nathe

For the House:

Darko
Johnson
Guthrie

Report adopted.

Conference Committee
on Senate Bill 314
Report No. 1, March 23, 1989

Mr. President and Mr. Speaker:

We, your Conference Committee on Senate Bill 314 met and considered:

The House Committee of the Whole amendments, offered by Rep. Simon, to SB 314 (third reading copy — blue) dated March 4, 1989.

We recommend that Senate Bill 314 (reference copy — salmon) be amended as follows:

1. Strike: The House committee of the whole amendments in their entirety.

2. Title, line 14.

Strike: "AND"

3. Title, line 16.

Following: "DATE"

Insert: "AND PROVIDING AN IMMEDIATE EFFECTIVE
DATE"

4. Page 7.

Following: line 24

Insert: "NEW SECTION. Section 6. Effective date. [This act] is effective on passage and approval."

And this Conference Committee report be adopted.

For the Senate:

Hager, Chairman
Regan
Hammond

For the House:

Addy
Brooke
Simon

Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House: 3/23/89

HB 378, introduced by Squires
HB 399, introduced by O'Keefe
HB 477, introduced by Grady
HB 504, introduced by Daily
HB 534, introduced by Swysgood
HB 568, introduced by Mercer
HB 649, introduced by Koehnke
HJR 29, introduced by Raney

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 3/23/89

HB 57, introduced by Marks
HB 413, introduced by Westlake
HB 544, introduced by Rice
HJR 23, introduced by Cobb

House bill not concurred in and returned to the House: 3/23/89

HB 244, introduced by Swift

House bill indefinitely postponed and returned to the House: 3/22/89

HB 616, introduced by DeMars

House bill requested to be returned for further consideration: 3/23/89

HB 616, introduced by DeMars

Senate bill passed and transmitted to the House for concurrence: 3/23/87

SJR 17, introduced by Noble

MESSAGES FROM THE GOVERNOR

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, Montana 59620

March 22, 1989

The Honorable Jack Galt
President of the Senate
State Capitol
Helena, Montana 59620

Dear Representative Vincent and Senator Galt:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return Senate Bill 271, "AN ACT REQUIRING A CITY OR TOWN TO LEVY A SPECIAL TAX FOR A FIRE DEPARTMENT RELIEF ASSOCIATION DISABILITY AND PENSION FUND WHEN THE FUND CONTAINS AN AMOUNT THAT IS LESS THAN 5 PERCENT, RATHER THAN 3 PERCENT, OF THE CITY'S OR TOWN'S TAXABLE VALUATION; AND AMENDING SECTIONS 19-11-503 AND 19-11-504, MCA," for the following reasons.

The sponsor has requested an amendatory veto on Senate Bill 271. As passed by the House and Senate, Senate Bill 271 would require cities and towns to maintain fire relief funds at a level equal to 5 percent of the taxable value of the municipality. Several cities that are levying less than the 4 mills that are presently allowed by law believe that the 40 percent increase in the fire relief fund that is mandated by this bill would create financial problems, particularly under the restrictions imposed by initiative 105. I agree.

My amendments, will reduce the percentage of taxable valuation pledged to the fire relief fund from 5 percent to 4 percent and thus reduce the tax burden by a mandated fire relief fund increase. The League of Cities and Towns and the sponsor support this compromise.

I urge your concurrence with this amendment.

Governor's Amendments to SB 271

1. Title, line 8.
Strike: "5 PERCENT"
Insert: "4 PERCENT"
2. Page 1, line 17.
Strike: "5%"
Insert: "4%"
3. Page 1, line 19.
Strike: "5%"
Insert: "4%"
4. Page 2, line 8.
Strike: "5%"
Insert: "4%"

Sincerely,

STAN STEPHENS
Governor

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bill was introduced, read first time, and referred to committee:

HB 790, introduced by Cohen, Ream, referred to Committee on Taxation

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 100 passed as follows:

Ayes: Bardanouve, Blotkamp, Bradley, Brooke, J. Brown, Clark, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Gould, Grady, Guthrie, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, Menahan, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Quilici, Ream, Rice, Russell, Schye, Smith, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook.

Total 61

Noes: Addy, Bachini, Boharski, D. Brown, Campbell, Cobb, Cohen, DeBruycker, Ellison, Giacometto, Gilbert, Glaser, Good, Grinde, Hannah, Hansen, Hanson, Hayne, Kasten, Lee, Marks, Mercer, R. Nelson, Patterson, Peck, Peterson, Phillips, Ramirez, Raney, Rehberg, Roth, Simon, Simpkins, Spring, Swift, Whalen, Mr. Speaker.

Total 37

Excused: Aafedt, McDonough.

Total 2

Absent or not voting: None.

Total 0

HB 173 passed as follows:

Ayes: Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Harper, Harrington, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, Menahan, Mercer, Moore, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.

Total 79

Noes: Bardanouve, Campbell, Cody, DeBruycker, Gilbert, Good, Hanson, Hayne, Kasten, Marks, Peck, Phillips, Ramirez, Simon, Steppler, Swysgood, Wyatt.

Total 17

Excused: Aafedt, McDonough.

Total 2

Absent or not voting: Hoffman, L. Nelson.

Total 2

HB 200 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Hansen, Harper, Harrington, Hoffman, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, Menahan, Mercer, Moore, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Quilici, Raney, Ream, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Squires, Stang, Stickney, Strizich, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 64

Noes: Boharski, Campbell, Clark, Cobb, Cody, Compton, DeBruycker, Ellison, Giacometto, Grinde, Guthrie, Hannah, Hanson, Hayne, Iverson, Kasten, Keller, Lee, Marks, L. Nelson, Owens, Peterson, Phillips, Ramirez, Rehberg, Smith, Spring, Stepler, Swift, Swysgood, Thoft, Thomas.

Total 32

Excused: Aafedt, McDonough.

Total 2

Absent or not voting: R. Nelson, Zook.

Total 2

HB 234 passed as follows:

Ayes: Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: Bardanouve, Cobb, DeBruycker, Hanson, Kasten, Lee, Owens.

Total 7

Excused: Aafedt, McDonough.

Total 2

Absent or not voting: Harrington, Simon.

Total 2

HB 304 passed as follows:

Ayes: Addy, Bardanouve, Blotkamp, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Compton, Daily, Darko, DeMars, Driscoll, Elliott, Gervais, Glaser, Gould, Grady, Hannah, Hansen, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Menahan, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Spaeth, Squires, Stepler, Stickney, Strizich, Swift, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 61

Noes: Bachini, Boharski, Bradley, Campbell, Clark, Cobb, Cohen, Connelly, Davis, DeBruycker, Ellison, Eudaily, Giacometto, Gilbert, Good, Grinde, Guthrie, Hanson, Hayne, Kasten, Lee, Marks, McCormick, Mercer, R. Nelson, Owens, Peck, Peterson, Phillips, Simpkins, Smith, Stang, Swysgood, Thoft, Thomas, Westlake.

Total 36

Excused: Aafedt, McDonough.

Total 2

Absent or not voting: Spring.

Total 1

HB 526 passed as follows:

Ayes: Bachini, Bardanouve, Blotkamp, Boharski, Bradley, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Davis, DeBruycker, DeMars, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Lee, Marks, McCormick, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Rehberg, Rice, Roth, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 79

Noes: Addy, Brooke, D. Brown, Campbell, Darko, Driscoll, Elliott, Gervais, Hansen, Harper, Kadas, Knapp, Koehnke, Moore, O'Keefe, Raney, Ream, Russell, Schye.

Total 19

Excused: Aafedt, McDonough.

Total 2

Absent or not voting: None.

Total 0

HB 550 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Campbell, Clark, Driscoll, Kasten, Owens, Smith.

Total 6

Excused: Aafedt, McDonough.

Total 2

Absent or not voting: None.

Total 0

HB 552 passed as follows:

Ayes: Addy, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon,

Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 85

Noes: Bachini, Campbell, Cobb, DeMars, Grady, Grinde, Hoffman, Kasten, Owens, Peck, Swysgood, Thoft, Westlake.

Total 13

Excused: Aafedt, McDonough.

Total 2

Absent or not voting: None.

Total 0

HB 583 passed as follows:

Ayes: Bardanouve, Blotkamp, Brooke, J. Brown, Campbell, Clark, Cobb, Compton, Connelly, Daily, DeBruycker, DeMars, Elliott, Ellison, Gervais, Giacometto, Gilbert, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harrington, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Lee, Marks, McCormick, Menahan, Mercer, Moore, L. Nelson, O'Connell, Pavlovich, Peck, Phillips, Quilici, Ramirez, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Steppler, Stickney, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Zook.

Total 67

Noes: Addy, Boharski, Bradley, D. Brown, Cocchiarella, Cody, Cohen, Darko, Davis, Driscoll, Eudaily, Glaser, Harper, Hayne, Knapp, Koehnke, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Peterson, Raney, Ream, Schye, Stang, Wyatt, Mr. Speaker.

Total 29

Excused: Aafedt, McDonough.

Total 2

Absent or not voting: Bachini, Strizich.

Total 2

HB 600 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Clark, Cobb, Kasten, Marks, Owens, Spring, Swysgood, Thoft.

Total 8

Excused: Aafedt, McDonough.

Total 2

Absent or not voting: None.

Total 0

HB 601 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Giacometto, Stepler.

Total 2

Excused: Aafedt, McDonough.

Total 2

Absent or not voting: Swift.

Total 1

HB 609 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Campbell, Giacometto, Gilbert, Good, Owens.

Total 5

Excused: Aafedt, McDonough.

Total 2

Absent or not voting: None.

Total 0

HB 619 passed as follows:

Ayes: Addy, Bardanouve, Blotkamp, Bradley, Brooke, J. Brown, Clark, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Gilbert, Gould, Grady, Guthrie, Hansen, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Koehnke, McCormick, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Schye, Simon, Simpkins, Smith, Spaeth,

Spring, Squires, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 71

Noes: Bachini, Boharski, D. Brown, Campbell, Cobb, Cocchiarella, DeBruycker, Ellison, Giacometto, Glaser, Good, Grinde, Hannah, Hanson, Hayne, Knapp, Lee, Marks, R. Nelson, Owens, Patterson, Peck, Peterson, Phillips, Roth, Stang, Swift.

Total 27

Excused: Aafedt, McDonough.

Total 2

Absent or not voting: None.

Total 0

HB 663 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Harper, Harrington, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 82

Noes: Clark, Cobb, Grinde, Hanson, Hayne, Hoffman, Kasten, Lee, McCormick, Owens, Ramirez, Rice, Smith, Spring, Swysgood, Thoft.

Total 16

Excused: Aafedt, McDonough.

Total 2

Absent or not voting: None.

Total 0

HB 716 failed as follows:

Ayes: Blotkamp, Boharski, D. Brown, Campbell, Clark, Cobb, Compton, Daily, DeBruycker, Giacometto, Glaser, Grady, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Iverson, Kasten, Keller, Knapp, Lee, Marks, Mercer, R. Nelson, T. Nelson, O'Connell, Owens, Patterson, Pavlovich, Peterson, Phillips, Ramirez, Rehberg, Rice, Roth, Simpkins, Smith, Spring, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Zook.

Total 48

Noes: Addy, Bachini, Bardanouve, Bradley, Brooke, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Good, Gould, Hansen, Harper, Harrington, Johnson, Kadas, Kilpatrick, Kimberley, Koehnke, McCormick, Menahan, Moore, L. Nelson, Nisbet, O'Keefe, Peck, Quilici, Raney, Ream, Russell, Schye, Simon, Spaeth, Squires, Stang, Stepler, Stickney, Whalen, Wyatt, Mr. Speaker.

Total 50

Excused: Aafedt, McDonough.

Total 2

March 23, 1989

Absent or not voting: None.

Total 0

HB 717 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Compton, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, Menahan, Mercer, Moore, R. Nelson, T. Nelson, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Cody, Connelly, Giacometto, L. Nelson, Nisbet, Stang.

Total 6

Excused: Aafedt, McDonough.

Total 2

Absent or not voting: Whalen.

Total 1

HB 718 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: Brooke, Cobb, Cody, Guthrie, Kadas, Kasten, Keller, R. Nelson, Peck, Simpkins.

Total 10

Excused: Aafedt, McDonough.

Total 2

Absent or not voting: DeBruycker.

Total 1

HB 739 passed as follows:

Ayes: Bardanouve, Blotkamp, Bradley, Campbell, Clark, Cobb, Cody, Compton, DeBruycker, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Guthrie, Hannah, Hanson, Harper, Hayne, Hoffman, Iverson, Kadas, Kasten, Keller, Kimberley, Knapp, Lee, Marks, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Peterson, Phillips, Ramirez, Rehberg, Rice, Roth, Simon,

Simpkins, Smith, Spaeth, Stepler, Stickney, Swift, Swysgood, Thoft, Thomas, Wallin, Zook.

Total 58

Noes: Addy, Bachini, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, DeMars, Elliott, Gervais, Good, Grinde, Hansen, Harrington, Johnson, Kilpatrick, Koehnke, McCormick, Moore, Owens, Pavlovich, Peck, Quilici, Raney, Ream, Russell, Schye, Spring, Squires, Stang, Strizich, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 39

Excused: Aafedt, McDonough.

Total 2

Absent or not voting: Boharski.

Total 1

HB 759 passed as follows:

Ayes: Addy, Bachini, Blotkamp, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Gervais, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kilpatrick, Kimberley, Koehnke, McCormick, Menahan, Mercer, Moore, T. Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 73

Noes: Bardanouve, Boharski, Bradley, Cobb, Compton, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Kadas, Kasten, Keller, Knapp, Lee, Marks, L. Nelson, R. Nelson, O'Keefe, Owens, Peck, Raney, Russell, Smith, Spring.

Total 25

Excused: Aafedt, McDonough.

Total 2

Absent or not voting: None.

Total 0

HB 760 passed as follows:

Ayes: Addy, Bardanouve, Blotkamp, Boharski, D. Brown, J. Brown, Campbell, Clark, Cobb, Cohen, Compton, Daily, DeBruycker, DeMars, Driscoll, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, Menahan, Mercer, R. Nelson, T. Nelson, O'Connell, O'Keefe, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 81

Noes: Bachini, Bradley, Brooke, Cocchiarella, Cody, Connelly, Darko, Davis, Elliott, McCormick, Moore, L. Nelson, Nisbet, Owens, Peck, Ream, Stang.

Total 17

Excused: Aafedt, McDonough.

Total 2

Absent or not voting: None.

Total 0

HB 763 passed as follows:

Ayes: Addy, Bachini, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Bardanouve, Boharski, Campbell, Kasten, Lee, Owens, Ramirez, Smith.

Total 8

Excused: Aafedt, McDonough.

Total 2

Absent or not voting: None.

Total 0

HB 765 passed as follows:

Ayes: Addy, Bachini, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Hansen, Harper, Harrington, Hayne, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, Menahan, Mercer, Moore, L. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rice, Russell, Schye, Simpkins, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 79

Noes: Bardanouve, Boharski, Giacometto, Guthrie, Hannah, Hanson, Hoffman, Kasten, Lee, R. Nelson, T. Nelson, Owens, Phillips, Rehberg, Roth, Smith, Spring, Swift.

Total 18

Excused: Aafedt, McDonough.

Total 2

Absent or not voting: Simon.

Total 1

HB 768 passed as follows:

Ayes: Addy, Bachini, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Gervais, Gilbert, Grady, Guthrie, Harper, Harrington, Hoffman,

Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, Menahan, Moore, R. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 64

Noes: Bardanouve, Blotkamp, Boharski, Campbell, Cobb, Cody, DeBruycker, Elliott, Ellison, Eudaily, Giacometto, Glaser, Good, Gould, Grinde, Hannah, Hansen, Hanson, Hayne, Kasten, Lee, Mercer, L. Nelson, T. Nelson, Patterson, Peck, Peterson, Phillips, Ramirez, Steppler, Swift, Swysgood, Thoft.

Total 33

Excused: Aafedt, McDonough.

Total 2

Absent or not voting: Marks.

Total 1

HB 772 passed as follows:

Ayes: Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cody, Cohen, Compton, Connelly, Daily, Davis, DeBruycker, DeMars, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Keller, Kilpatrick, Kimberley, Knapp, Marks, McCormick, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Steppler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 79

Noes: Addy, Bachini, Brooke, Cocchiarella, Darko, Driscoll, Elliott, Ellison, Kadas, Kasten, Koehnke, Lee, Peck, Ramirez, Ream, Spring, Squires, Stang, Swysgood.

Total 19

Excused: Aafedt, McDonough.

Total 2

Absent or not voting: None.

Total 0

HB 775 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Boharski, Giacometto.

Total 2

Excused: Aafedt, McDonough.

Total 2

Absent or not voting: None.

Total 0

HB 776 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Boharski, Giacometto, Owens, Stang.

Total 4

Excused: Aafedt, McDonough.

Total 2

Absent or not voting: O'Keefe.

Total 1

HB 777 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, Menahan, Mercer, Moore, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Quilici, Ramirez, Ream, Rehberg, Rice, Russell, Schye, Simon, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 77

Noes: Boharski, Clark, Cobb, Giacometto, Good, Grinde, Guthrie, Kasten, Lee, Marks, L. Nelson, Owens, Patterson, Peck, Peterson, Phillips, Raney, Roth, Simpkins, Swift, Whalen.

Total 21

Excused: Aafedt, McDonough.

Total 2

Absent or not voting: None.

Total 0

HB 778 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton,

Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Boharski, Giacometto, Good, R. Nelson, Owens, Whalen.
Total 6

Excused: Aafedt, McDonough.
Total 2

Absent or not voting: None.
Total 0

HB 786 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, J. Brown, Campbell, Clark, Cobb, Cody, Cohen, Compton, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, O'Connell, O'Keefe, Patterson, Peck, Peterson, Phillips, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Wallin, Westlake, Zook.
Total 77

Noes: Bradley, Brooke, D. Brown, Cocchiarella, Connelly, Daily, Darko, Driscoll, Hanson, Hayne, Lee, Menahan, Nisbet, Owens, Pavlovich, Quilici, Schye, Swift, Whalen, Wyatt, Mr. Speaker.
Total 21

Excused: Aafedt, McDonough.
Total 2

Absent or not voting: None.
Total 0

MOTIONS

Representative Harper moved the rules be suspended to allow placement of HB 780 on second reading this legislative day. Motion carried.

Representative Harper moved all applicable House rules be temporarily suspended to allow placement and consideration of HB 543, HB 769, HB 709, HB 789, HB 320, HB 730, HB 240, HB 774, and HB 782 on second and third readings this legislative day. Motion carried.

Representative Davis moved he be allowed to change his vote on HB 583, third reading, from yes to no. Motion carried.

Representative Simon moved he be allowed to change his vote on HB 100, third reading, from yes to no. Motion carried.

Representative Boharski moved he be allowed to change his vote on HB 765, third reading, from yes to no. Motion carried.

Representative Wallin moved the rules be suspended to allow him to be recorded as voting yes on HB 778, third reading. Motion carried.

Representative Darko moved the rules be suspended to allow consideration of HB 780 on third reading this legislative day should it pass second reading this legislative day. Motion failed. (64-34)

Representative Bradley moved she be allowed to change her vote on HB 304, third reading, from yes to no. Motion carried.

Representative Moore moved she be allowed to change her vote on HB 526, third reading, from yes to no. Motion carried.

Representative Mercer moved HB 785 be taken from the second reading board this legislative day and placed on the second reading board the 73rd legislative day. Motion carried.

Representative Harper moved HB 709 be placed at the top of the second reading board this legislative day. Motion carried.

Representative Schye moved SB 203 be taken from the Select Committee on Education and rereferred to the Committee on Education.

Representative Daily moved the previous question. Motion carried.

Thereupon, the motion to rerefer SB 203 failed. (51-47)

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Pavlovich in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 709 - Representative Hanson moved HB 709 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Brooke, Cohen, Darko, O'Keefe.
Total 4

Excused: Aafedt, McDonough.
Total 2

Absent or not voting: None.

Total 0

Representatives Brooke and Hanson excused at this time.

HB 543 - Representative Connelly moved HB 543 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Eudaily, Gervais, Giacometto, Good, Gould, Grady, Hansen, Harper, Harrington, Hayne, Hoffman, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, Menahan, Moore, L. Nelson, R. Nelson, Nisbet, O'Connell, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rice, Roth, Russell, Schye, Simpkins, Smith, Spaeth, Squires, Stang, Stickney, Strizich, Swift, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 67

Noes: Bardanouve, Blotkamp, Boharski, Campbell, Compton, Elliott, Ellison, Gilbert, Glaser, Guthrie, Hannah, Iverson, Kasten, Keller, Lee, Marks, Mercer, T. Nelson, O'Keefe, Patterson, Ramirez, Rehberg, Spring, Stepler, Swysgood, Thoft, Thomas.

Total 27

Excused: Aafedt, Brooke, Hanson, McDonough.

Total 4

Absent or not voting: Grinde, Simon.

Total 2

HB 769 - Representative Elliott moved HB 769 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, Menahan, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 85

Noes: Boharski, Campbell, Giacometto, Gilbert, Kasten, Lee, Mercer, Spring.

Total 8

Excused: Aafedt, Brooke, Hanson, McDonough.

Total 4

Absent or not voting: Peterson, Ramirez, Simon.

Total 3

HB 780 - Representative Harper moved HB 780 be placed at the top of the second reading board. Motion carried.

Representative Darko moved HB 780 do pass. Motion carried as follows:

Ayes: Addy, Blotkamp, Bradley, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Gervais, Good, Grady, Grinde, Hansen, Harper, Harrington, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, McCormick, Menahan, Moore, Nisbet, O'Connell, O'Keefe, Pavlovich, Peterson, Quilici, Raney, Ream, Rice, Russell, Schye, Spaeth, Squires, Stang, Stickney, Strizich, Whalen, Wyatt, Mr. Speaker.

Total 51

Noes: Bachini, Boharski, Campbell, Clark, Cobb, DeBruycker, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Guthrie, Hannah, Hayne, Hoffman, Kasten, Keller, Koehnke, Lee, Marks, Mercer, L. Nelson, R. Nelson, T. Nelson, Owens, Patterson, Peck, Phillips, Ramirez, Rehberg, Roth, Simon, Simpkins, Smith, Spring, Stepler, Swift, Swysgood, Thoft, Wallin, Westlake, Zook.

Total 43

Excused: Aafedt, Brooke, Hanson, McDonough.

Total 4

Absent or not voting: Bardanouve, Thomas.

Total 2

Representative Brooke present at this time.

HB 730 - Representative Harper moved HB 730 be placed at the top of the second reading board. Motion carried.

Representative Spaeth moved HB 730, third reading copy, be amended as follows:

1. Title, line 6.

Following: line 5

Strike: "VOTERS"

Insert: "ELECTORS"

2. Page 2, line 12.

Following: "all registered"

Strike: "voters"

Insert: "electors"

3. Page 2, line 13.

Following: "state"

Strike: "according to rules adopted by the secretary of state"

Insert: "as provided in [section 3]"

4. Page 2, line 16.

Following: "all registered"

Strike: "voters"

Insert: "electors"

5. Page 4, line 6.

Following: "(5)"

Strike: "Ten"

Insert: "Five"

6. Page 4, line 7.

Following: "at each"

Strike: "precinct"

Insert: "polling place"

7. Page 4.

Following: line 9

Insert: "(6) At the request of the county election administrator, the secretary of state shall provide the requested number of additional copies of the voter information pamphlet to the county election administrator for distribution to the public.

NEW SECTION. Section 3. Election administrator to provide list of electors to secretary of state.

(1) The election administrator in each county shall provide to the secretary of state a list of all registered electors in the county by precinct. The list must include the following information for each elector:

- (a) name of elector;
- (b) mailing address;
- (c) precinct number;
- (d) registration number assigned by the county election administrator pursuant to 13-2-114.

(2) The list provided pursuant to subsection (1) must be a paper copy. If the county election administrator maintains the information in some form, such as on a computer disk or tape, and the secretary of state requests the information in that form, the county election administrator may provide the list in a form other than a paper copy.

(3) In odd-numbered years, the list of electors required by subsection (1) must be delivered to the secretary of state by December 15.

(4) In even-numbered years, the list of electors required by subsection (1) must be delivered to the secretary of state:

(a) no later than July 1. If the county has more than 5,000 electors, the list must include any changes made up to and including the June primary. If the county has 5,000 or fewer electors, the list may include information through the close of registration prior to the June primary.

(b) 30 days prior to the close of the registration before the general election;

(c) no later than 10 days following the close of registration for a general election. Each election administrator shall provide the secretary of state with a supplemental list of electors, giving the additions and changes made between the time the last previous list was compiled and the close of registration."

Renumber: subsequent section

Amendment passed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hansen, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Koehnke, Lee, Marks, McCormick, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Quilici, Ramirez,

Raney, Ream, Rehberg, Rice, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.

Total 86

Noes: Cobb, Good, Wyatt.

Total 3

Excused: Aafedt, Hanson, McDonough.

Total 3

Absent or not voting: Hannah, Harrington, Knapp, Menahan, Patterson, Phillips, Roth, Squires.

Total 8

Representative Spaeth moved HB 730, as amended, do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.

Total 88

Noes: Campbell, Cobb, Grinde, Lee, R. Nelson, Peck, Simon, Swysgood, Wyatt.

Total 9

Excused: Aafedt, Hanson, McDonough.

Total 3

Absent or not voting: None.

Total 0

HB 240 - Representative Vincent moved HB 240 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Marks, McCormick, Menahan, Mercer, Moore, L. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, Rice, Schye, Smith, Spaeth, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 78

Noes: Boharski, Brooke, Campbell, Ellison, Giacometto, Kasten, Koehnke, Lee, R. Nelson, T. Nelson, Phillips, Ramirez, Rehberg, Roth, Russell, Simon, Simpkins, Spring, Steppler.

Total 19

Excused: Aafedt, Hanson, McDonough.

Total 3

Absent or not voting: None.

Total 0

HB 320 - Representative Mercer moved HB 320 do pass. Motion carried as follows:

Ayes: Addy, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Elliott, Ellison, Eudaily, Gervais, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 80

Noes: Bachini, Campbell, Cocchiarella, Driscoll, Giacometto, Gilbert, Hannah, Kasten, Koehnke, Patterson, Peck, Ream, Rehberg, Stang, Stepler, Swysgood.

Total 16

Excused: Aafedt, Hanson, McDonough.

Total 3

Absent or not voting: DeBruycker.

Total 1

Representative Marks excused at this time.

HB 774 - Representative DeBruycker moved HB 774 do pass. Motion carried as follows:

Ayes: Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Compton, Connelly, Daily, DeBruycker, DeMars, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Harper, Hayne, Hoffman, Iverson, Kadas, Kasten, Keller, Kilpatrick, Knapp, Marks, McCormick, Mercer, R. Nelson, T. Nelson, O'Connell, O'Keefe, Patterson, Peterson, Phillips, Quilici, Ramirez, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Stickney, Swift, Swysgood, Thomas, Wallin, Westlake, Zook, Mr. Speaker.

Total 58

Noes: Addy, Bachini, Bardanouve, Blotkamp, Brooke, Cocchiarella, Cody, Cohen, Darko, Davis, Driscoll, Elliott, Ellison, Eudaily, Good, Hansen, Harrington, Johnson, Kimberley, Koehnke, Lee, Menahan, Moore, L. Nelson, Nisbet, Owens, Pavlovich, Peck, Raney, Ream, Schye, Spring, Squires, Stang, Stepler, Strizich, Thoft, Whalen, Wyatt.

Total 39

Paired: Marks, Ramirez, Ayes; Menahan, Stang, Noes.

Excused: Aafedt, Hanson, McDonough.

Total 3

Absent or not voting: None.

Total 0

HB 782 - Representative Quilici moved HB 782 do pass. Motion carried as follows:

Ayes: Addy, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Strickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: Bachini, Grinde, Peck.

Total 3

Excused: Aafedt, Hanson, Marks, McDonough, Ramirez.

Total 5

Absent or not voting: Menahan, Moore, O'Keefe.

Total 3

HB 789 - Representative Connelly moved HB 789 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Grady, Hansen, Harper, Harrington, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 74

Noes: Blotkamp, Campbell, Driscoll, Gilbert, Good, Gould, Grinde, Guthrie, Hannah, Hayne, Hoffman, Kasten, Keller, Patterson, Stepler, Swift, Swysgood, Thoft, Wallin.

Total 19

Excused: Aafedt, Hanson, Marks, McDonough, Ramirez.

Total 5

Absent or not voting: Menahan, Moore.

Total 2

Representative Harper moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Pavlovich moved the adoption of the committee report. Report adopted. (85-7)

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

3/23/89

Correctly printed: HB 709, HB 730, HB 782.

Correctly engrossed: HB 100, HB 786.

Correctly enrolled: HB 185, HB 406, HB 558, HB 646, HB 662.
Examined by the sponsors and found to be correct:

HB 185 - Whalen
HB 406 - Gould
HB 558 - Kilpatrick
HB 646 - Simpkins
HB 662 - Rice

APPROPRIATIONS (Bardanoue, Chairman):

3/23/89

HB 240, second reading copy, be amended as follows:

1. Page 2, line 8.
Strike: "\$5,000"
Insert: "\$500"

2. Page 2, line 10.
Strike: "\$5,000"
Insert: "\$500"

And, as amended, do pass. Report adopted.

HB 320, introduced bill, be amended as follows:

1. Page 1, lines 15 and 16.
Strike: lines 15 and 16 in their entirety

2. Page 2, lines 1 through 3.
Strike: lines 1 through 3 in their entirety
Renumber: subsequent subsection

3. Page 2.
Following: line 5
Insert: "NEW SECTION. Section 3. Review by department of administration. The department of administration shall review and approve all system specifications and acquisitions proposed by the supreme court, as required in 2-17-501."

And, as amended, do pass. Report adopted.

HB 774, introduced bill, be amended as follows:

1. Title, line 4.
Following: "ENTITLED: "AN ACT"
Strike: the remainder of the title
Insert: "REQUIRING THE DEPARTMENT OF HIGHWAYS TO ASSUME THE MAINTENANCE OF CERTAIN ROADS."

2. Page 2, line 4.
Following: "Section 1."
Strike: remainder of section 1 in its entirety
Insert: "Assumption of maintenance. The department of highways shall, as of July 1, 1989, assume maintenance of the following road:

<u>Route No.</u>	<u>Location</u>
FAS 223	Ft. Benton-Chester"

And, as amended, do pass. Report adopted.

HB 789, introduced bill, be amended as follows:

1. Page 3, line 2.
Strike: "shall"
Insert: "may"

2. Page 3, line 3.

Following: "Montana"

Insert: ", upon completion of the Tobin mansion renovation project"

3. Page 3, line 7.

Following: "for the"

Insert: "ongoing"

4. Page 3, line 13.

Following: "recorder."

Insert: "The department of administration is authorized to accept and expend private donations, and such donations are appropriated for the purposes of [this act]."

And, as amended, do pass. Report adopted.

JUDICIARY (D. Brown, Chairman):

3/22/89

HJR 36, do pass. Report adopted.

TAXATION (Harrington, Chairman):

3/23/89

HB 783, introduced bill, be amended as follows:

1. Title, line 5.

Following: "WITH"

Strike: "BANKS"

Insert: "FINANCIAL INSTITUTIONS"

2. Title, line 6.

Following: "A"

Strike: "BANK"

Insert: "FINANCIAL INSTITUTION"

3. Page 1, line 15.

Following: "a"

Strike: "bank"

Insert: "financial institution"

4. Page 1, line 18.

Following: line 17

Strike: line 18 in its entirety

Insert: "each financial institution"

5. Page 1, line 20.

Following: "the"

Strike: "bank"

Insert: "financial institution"

6. Page 2, line 3.

Following: "for a"

Strike: "bank"

Insert: "financial institution"

7. Page 2, lines 14 and 15.

Strike: lines 14 and 15 in their entirety

Insert: "(a) "Financial institution" means a bank chartered under Title 32, chapter 1; a bank chartered under the National Bank Acts in Title 12 of the United States Code; a building and loan association chartered under Title 32, chapter 2; a savings and loan association chartered under the Home Owners' Loan Act in Title 12 of the United States Code; a credit union chartered under Title 32, chapter 3; or a credit union chartered under the Federal Credit Union Act in Title 12 of the United States Code."

8. Page 2, line 16.

Following: "(b)"

Strike: "Bank"

Insert: "Financial institution"

9. Page 2, line 18.

Following: "a"

Strike: "bank"

Insert: "financial institution"

10. Page 2, line 20.

Following: "particular"

Strike: "bank"

Insert: "financial institution"

And, as amended, do pass. Report adopted.

MOTIONS

Representative Grady moved the rules be suspended to place HB 780 on third reading this legislative day. Motion failed. (57-35)

Representative Thomas moved the House reconsider its action on HB 716 taken on third reading this legislative day. Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 240 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, McCormick, Menahan, Mercer, Moore, L. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Quilici, Raney, Ream, Rehberg, Rice, Russell, Schye, Simon, Spaeth, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 77

Noes: Boharski, Brooke, Campbell, Darko, Kasten, Koehnke, Lee, R. Nelson, T. Nelson, Owens, Phillips, Roth, Simpkins, Smith, Spring, Stepler.

Total 16

Excused: Aafedt, Hanson, Marks, McDonough, Ramirez.

Total 5

Absent or not voting: Bradley, Peterson.

Total 2

HB 320 passed as follows:

Ayes: Addy, Bardanouve, Blotkamp, Boharski, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Davis, DeMars, Elliott, Ellison, Eudaily, Gervais, Glaser, Good, Gould, Grady, Grinde, Guthrie, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Lee, McCormick, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell,

O'Keefe, Owens, Pavlovich, Peterson, Phillips, Quilici, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 74

Noes: Bachini, Brooke, Campbell, Darko, DeBruycker, Driscoll, Giacometto, Gilbert, Hannah, Kasten, Koehnke, Patterson, Peck, Raney, Ream, Stang, Steppler, Swysgood, Thoft.

Total 19

Excused: Aafedt, Hanson, Marks, McDonough, Ramirez.

Total 5

Absent or not voting: Bradley, Hansen.

Total 2

HB 543 passed as follows:

Ayes: Addy, Bachini, Blotkamp, Brooke, D. Brown, J. Brown, Clark, Cobb, Cody, Cohen, Connelly, Daily, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Grinde, Hansen, Harper, Harrington, Hayne, Hoffman, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, McCormick, Menahan, Mercer, Moore, R. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 71

Noes: Bardanouve, Boharski, Campbell, Compton, Ellison, Gilbert, Guthrie, Hannah, Iverson, Kasten, Koehnke, Lee, L. Nelson, T. Nelson, Patterson, Peck, Rehberg, Spring, Steppler, Swysgood, Thoft.

Total 21

Excused: Aafedt, Hanson, Marks, McDonough, Ramirez.

Total 5

Absent or not voting: Bradley, Cocchiarella, Darko.

Total 3

HB 709 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, D. Brown, J. Brown, Campbell, Clark, Cobb, Cody, Compton, Connelly, Daily, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 86

Noes: Brooke, Cocchiarella, Cohen, Darko, Lee, Peck, Ream, Steppler.

Total 8

Excused: Aafedt, Hanson, Marks, McDonough, Ramirez.

Total 5

Absent or not voting: Bradley.

Total 1

HB 716 failed as follows:

Ayes: Aafedt, Blotkamp, Boharski, Campbell, Clark, Cobb, Compton, DeBruycker, Ellison, Giacometto, Gilbert, Glaser, Good, Grady, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Iverson, Kasten, Keller, Knapp, Lee, Marks, Mercer, R. Nelson, T. Nelson, O'Connell, Owens, Patterson, Peterson, Phillips, Ramirez, Rehberg, Rice, Roth, Simon, Simpkins, Smith, Spring, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Zook.

Total 50

Noes: Addy, Bachini, Bardanouve, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Gould, Hansen, Harper, Harrington, Johnson, Kadas, Kilpatrick, Kimberley, Koehnke, McCormick, McDonough, Menahan, Moore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, Russell, Schye, Spaeth, Squires, Stang, Stepler, Stickney, Whalen, Wyatt, Mr. Speaker.

Total 50

Paired: Aafedt, Giacometto, Hannah, Hanson, Marks, Ramirez, Ayes; Bradley, Brooke, Cocchiarella, Eudaily, McDonough, Squires, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 730 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: Campbell, Cobb, Lee, R. Nelson, Peck, Swysgood.

Total 6

Excused: Aafedt, Hanson, Marks, McDonough, Ramirez.

Total 5

Absent or not voting: Bradley, Kadas.

Total 2

HB 769 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Brooke, D. Brown, J. Brown, Clark, Cobb, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Harper, Harrington, Hayne,

Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 84

Noes: Boharski, Campbell, Cocchiarella, Giacometto, Gilbert, Hansen, Kasten, Lee, Owens, Simon.

Total 10

Excused: Aafedt, Hanson, Marks, McDonough, Ramirez.

Total 5

Absent or not voting: Bradley.

Total 1

HB 774 passed as follows:

Ayes: Addy, Boharski, D. Brown, Campbell, Clark, Cobb, Compton, Connelly, Daily, DeBruycker, DeMars, Ellison, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Harper, Harrington, Hayne, Hoffman, Iverson, Kasten, Keller, Kilpatrick, Knapp, McCormick, Mercer, R. Nelson, T. Nelson, O'Connell, O'Keefe, Patterson, Pavlovich, Peterson, Phillips, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Spaeth, Spring, Stickney, Strizich, Swift, Swysgood, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 58

Noes: Bachini, Bardanouve, Blotkamp, Brooke, J. Brown, Cocchiarella, Cody, Cohen, Darko, Davis, Driscoll, Elliott, Eudaily, Good, Johnson, Kadas, Kimberley, Koehnke, Lee, Menahan, Moore, L. Nelson, Nisbet, Owens, Peck, Quilici, Raney, Ream, Schye, Smith, Squires, Stang, Steppler, Thoft, Whalen.

Total 35

Excused: Aafedt, Hanson, Marks, McDonough, Ramirez.

Total 5

Absent or not voting: Bradley, Hansen.

Total 2

HB 782 passed as follows:

Ayes: Addy, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Bachini, Kasten, Peck.

Total 3

Excused: Aafedt, Hanson, Marks, McDonough, Ramirez.

Total 5

Absent or not voting: Bradley.

Total 1

HB 789 passed as follows:

Ayes: Bachini, Bardanouve, Boharski, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Grady, Grinde, Hansen, Harper, Harrington, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stickney, Strizich, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 74

Noes: Blotkamp, Campbell, Cobb, Gilbert, Good, Gould, Guthrie, Hannah, Hayne, Hoffman, Kasten, Keller, Patterson, Spring, Stepler, Swift, Swysgood, Thoft, Wallin.

Total 19

Excused: Aafedt, Hanson, Marks, McDonough, Ramirez.

Total 5

Absent or not voting: Addy, Bradley.

Total 2

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Speaker Vincent introduced this week's pages:

Shannon Boyer, Polson
Chad Doheny, Dutton
David Hannah, Billings
Danna Kaze, Havre
Doug Lorang, Great Falls
Kim Nelson, Miles City
Misty Raney, Livingston
Melissa Smith, Bozeman
Danton Wallin, Bozeman
Torin Wallin, Bozeman

Representative Harper moved the House adjourn until 12:00 noon, Monday, March 27, 1989.

Motion carried.

House adjourned at 12:10 p.m

John Vincent, Speaker

Larry Fasbender, Chief Clerk

SIXTY-EIGHTH LEGISLATIVE DAY

Helena, Montana
March 27, 1989

House Chambers
State Capitol

House convened at 12:05 p.m., Mr. Speaker in the Chair. Invocation by Representative Addy. Pledge of Allegiance to the Flag.

Roll call. All members present except Cody, Moore, Nisbet, Patterson, and Stickney, excused. Quorum present.

Representative Harper moved the House recess until 12:45 p.m.

Motion carried.

House recessed at 12:07 p.m.

House reconvened at 1:10 p.m. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 3/27/89

Correctly printed: HB 783, HJR 36.

Correctly engrossed: HB 780.

Examined by the sponsors and found to be correct: 3/23/89

HB 84 - Hansen

HB 289 - Johnson

HB 466 - Blotkamp

HB 591 - Phillips

HB 605 - Grady

Signed by the Speaker at 1:00 p.m., 3/23/89: HB 171, HB 185, HB 247, HB 264, HB 344, HB 406, HB 412, HB 424, HB 448, HB 471, HB 491, HB 492, HB 541, HB 558, HB 620, HB 646, HB 662, HB 670, HB 708, HB 744, HJR 9, HJR 18, HJR 20, SB 62, SB 68, SB 161, SB 242, SB 340, SB 371, SB 382, SB 386, SB 407, SB 409, SB 447, SB 454, SJR 5.

JUDICIARY (D. Brown, Chairman): 3/27/89

SB 342, third reading copy, be amended as follows:

1. Title, line 8.

Following: "OF"

Insert: "OBSCENE"

Following: "MATERIAL"

Strike: "HARMFUL"

2. Page 1, line 15.

Strike: "Harmful"

Insert: "Display or dissemination of obscene material"

3. Page 1, line 17.

Strike: "nudity,"

Strike: ", sexual excitement,"

4. Page 1, line 20.

Strike: "it has a predominant tendency to appeal"

Insert: "its dominant theme appeals"

5. Page 1, line 22.

Strike: "nudity,"

Following: "conduct"

Strike: ",

6. Page 1, line 23.

Strike: "sexual excitement,"

7. Page 1, line 24.

Strike: "prevailing"

Insert: "contemporary"

8. Page 2, line 2.

Following: "minors."

Insert: "If the court finds that the material or performance has serious literary, scientific, artistic, or political value for a significant percentage of normal older minors, the material or performance may not be found to lack such value for the entire class of minors."

9. Page 2, line 6 and page 3, line 4.

Following: "videotape"

Insert: "(except a motion picture or videotape rated G, PG, PG-13, or R by the motion picture association of America)"

10. Page 2, line 7.

Strike: "an unmarried"

Insert: "a"

11. Page 2, lines 9 through 19.

Strike: subsection (4) in its entirety

Renumber: subsequent subsections

12. Page 2, line 22 through page 3, line 2.

Strike: subsection (6) in its entirety

Renumber: subsequent subsections

13. Page 3, line 3.

Following: "film,"

Insert: "or"

14. Page 3, lines 4 and 5.

Following: "videotape", "record", "disk", "recording", "preview", "trailer", "play", "show", "skit", and "dance"

Strike: ",,"

Insert: ",,"

15. Page 3, lines 10 through 15.

Strike: "Reasonable" on line 10 through "minor" on line 15

Insert: "'Prurient interest in sex' means a shameful or morbid interest in sex or excretion"

16. Page 3, line 18.

Following: "perverted"

Strike: ",,"

Insert: ". A sexual act is simulated when it gives the appearance of depicting actual sexual activity or the consummation of an ultimate sexual act."

17. Page 3, line 20.

Following: "genitals"

Insert: "or female breasts"

18. Page 3, line 25 through page 4, line 2.

Strike: subsection (11) in its entirety

Insert: "(9) 'Ultimate sexual act' means vaginal or anal sexual intercourse, fellatio, cunnilingus, or bestiality."

19. Page 4, line 4.

Following: "of"

Insert: "obscene"

Strike: "harmful"

Following: "to minors."

Insert: "(1)"

Renumber: subsequent subsections (1) through (3) as (a) through (c)

20. Page 4, line 6.

Strike: "negligently"

Insert: "knowingly or purposely"

21. Page 4, line 10.

Following: "displayed"

Insert: "obscene"

Following: "material"

Strike: "harmful"

22. Page 4, line 13.

Following: "view"

Insert: "or other reasonable efforts were made to prevent view of the material by a minor"

23. Page 4, line 16.

Following: "any"

Insert: "obscene"

Following: "material"

Strike: "that is harmful to minors"

24. Page 4, line 20.

Strike: "harmful"

Insert: "obscene"

25. Page 4, line 21.

Insert: "(2) A person does not violate this section if:

(a) he had reasonable cause to believe the minor was 18 years of age. "Reasonable cause" includes but is not limited to being shown a draft card, driver's license, marriage license, birth certificate, educational identification card, governmental identification card, or other official or apparently official card or document purporting to establish that the person is 18 years of age;

(b) the person is, or is acting as, an employee of a bona fide public school, college, or university or a retail outlet affiliated with and serving the educational purposes of a school, college, or university and the material or performance was disseminated in accordance with policies approved by the governing body of the institution;

(c) the person is an officer, director, trustee, or employee of a public library or museum and the material or performance was acquired by the library or museum and disseminated in accordance with policies approved by the governing body of the library or museum;

(d) an exhibition in a state of nudity is for a bona fide scientific or medical purpose for a bona fide school, library, or museum; or

(e) the person is a retail sales clerk with no financial interest in the material or performance or in the establishment displaying or selling the material or performance.

NEW SECTION. Section 3. Notice of violation. Before a county attorney may prosecute a person for a continuing violation of [section 2], he shall determine that the material or performance is obscene to minors, give the alleged violator actual notice of the determination and notice that he will be prosecuted if he does not desist, and determine that the violation continued for at least 3 days after notice was received. The person may seek a declaratory judgment on the question whether the material or performance is obscene to minors. The statute of limitations for the offense is tolled while the declaratory judgment or an appeal from it is pending."

Renumber: subsequent sections

26. Page 8, lines 15 and 18.

Strike: "3"

Insert: "4"

And, as amended, be concurred in. Report adopted.

NATURAL RESOURCES (Raney, Chairman):

3/23/89

HB 676, introduced bill, be amended as follows:

1. Title, line 8.

Strike: "DISPOSAL"

Insert: "MANAGEMENT"

2. Title, line 11.

Strike: "DISPOSAL"

Insert: "MANAGEMENT"

3. Title, lines 14 and 15.

Strike: "THE"

Insert: "ADDITIONAL"

Strike: "TREATMENT, STORAGE, OR DISPOSAL"

Insert: "MANAGEMENT"

4. Title, line 18.

Following: "PROVIDING"

Insert: "APPLICABILITY DATES, A RETROACTIVE APPLICABILITY DATE FOR THE INFECTIOUS WASTE MANAGEMENT FEE, AND"

5. Page 2.

Following: line 5

Insert: "As part of the regulations implementing the management standards provided in [section 5], the department shall consider the following specific requirements:

(1) Infectious waste, except for sharps, must be contained in disposable plastic bags or other appropriate containers that are impervious to moisture and have a strength sufficient to preclude ripping, tearing, or bursting under normal conditions of use. Bags must be securely tied to prevent leakage during storage, handling, or transport.

(2) Sharps subject to storage, transport, treatment, or disposal must be packaged in leakproof, rigid, puncture-resistant containers that are taped closed or tightly lidded to preclude loss of the contents.

(3) Locations where infectious waste is contained must be secured to deny access by unauthorized persons and must be marked with "biological hazard" or "biohazard" signs.

(4) Bags used for containment of infectious waste must be red or orange and clearly identified.

(5) Rigid containers of discarded sharps must be labeled as "biomedical waste" or placed in the bags used for other infectious waste."

6. Page 2.

Following: line 17

Insert: "The department shall adopt rules providing for a waiver of the per-pound interregional management fee for interregional management that results in an equivalent or reduced risk to Montana's public health, safety, welfare, and environment when compared to the alternative of intraregional management. The fee waiver authorized by this rule is intended to ensure that any current and safe interregional management practices are not subject to undue expense. If a commercial facility does not manage any infectious waste for which the per-pound fee is assessed, the annual operating fee for that commercial facility must be determined pursuant to [section 8(1)(b)(iii)]."

7. Page 2, line 18.

Strike: "providing"

Insert: "implementing the provisions of [section 7] that provide"

8. Page 2, line 20.

Strike: "reduces the"

Insert: "results in an equivalent or reduced"

Following: "to"

Strike: "the"

Insert: "Montana's"

9. Page 2, line 21.

Following: "safety,"

Strike: "and"

Following: "welfare"

Strike: "and to the"

Insert: ", and"

10. Page 2, line 22.

Following: "The"

Insert: "fee"

11. Page 3, line 23.

Strike: "disposal"

Insert: "management"

12. Page 4, line 22.

Strike: "medical"

Insert: "health care"

Following: "accepts"

Insert: "infectious waste"

13. Page 4, lines 23 and 24.

Strike: "infectious" on line 23 through "region" on line 24

14. Page 4.

Following: line 24

Insert: "(4) "Commercial transporter" means a person who, in return for consideration, transports infectious waste to a management location.

(5) "Contaminated" means harboring a pathogen in a state that could transmit infection or disease.

(6) "Decontamination" or "to decontaminate" means a process of rendering noninfectious through steam sterilization, chemical treatment, or other sterilization procedures a container, implement, or other article contaminated by infectious waste."

Renumber: subsequent subsections

15. Page 5, lines 3 through 8.

Strike: "discharge" on line 3 through line 8 in its entirety

Insert: "final placement of infectious waste."

16. Page 5, line 10.

Strike: "sterile"

Insert: "noninfectious"

17. Page 5, line 18.

Strike: "isolation wastes;"

18. Page 5, line 22.

Strike: "contaminated sharp instruments and objects"

Insert: "sharps"

19. Page 5, line 23.

Following: "and"

Insert: "veterinary"

20. Page 5, line 24.

Strike: "a potential"

Insert: "suspected as a"

21. Page 5, line 24 through page 6, line 6.

Strike: "wastes" on page 5, line 24 through line 6, page 6 in its entirety

Insert: "wastes from humans or animals that are isolated to protect humans from communicable diseases; and wastes generated in connection with patient care that are known to be contaminated."

22. Page 6.

Following: line 11

Insert: "(13) "Management" or "to manage" means treatment, storage, or disposal, except that the term does not mean the disposal of infectious waste that has been rendered noninfectious.

(14) "Noninstitutional facility" means the office or clinic of a health care professional licensed under Title 37 that is not within a health care facility as defined in 50-5-101."

Renumber: subsequent subsections

23. Page 6, line 16.

Strike: "disposal"

Insert: "management"

24. Page 6, lines 18 through 20.

Strike: subsection (13) in its entirety

Insert: "(18) "Sharps" means any discarded health care article that may cause punctures or cuts, including but not limited to needles, intravenous tubing with needles attached, scalpel blades, glassware, and syringes that have been removed from their original sterile containers.

(19) "Steam sterilization" means a treatment method for infectious waste utilizing saturated steam within a pressure vessel (known as a steam sterilizer, autoclave, or retort) at time lengths and temperatures sufficient to kill infectious agents within the waste."

Renumber: subsequent subsections

25. Page 7, lines 5 through 7.

Strike: "so" on line 5 through "volume" on line 7

26. Page 7, line 14.

Strike: "Infectious"

Insert: "Except as provided in subsection (3), infectious"

27. Page 7, line 17.

Following: "segregation"

Insert: "by separate containment"

Following: "waste"

Insert: "containers"

28. Page 7, line 21.

Strike: "properly disinfected"

Insert: "decontaminated"

29. Page 8, line 6.

Following: "(B)"

Insert: "steam"

30. Page 8, line 7.

Strike: "or"

31. Page 8, line 8.

Following: "for"

Insert: "the noncommercial disposal of small quantities of"

Following: "waste"

Insert: "generated incidentally to a health care procedure"

32. Page 8, line 12.

Strike: "."

Insert: "; or

(D) any other technique approved by department rule that results in effectively treated infectious waste."

33. Page 8, line 20.

Strike: "disinfected"

Insert: "decontaminated"

34. Page 9, line 11.

Following: "parts"

Insert: ", other than teeth,"

35. Page 9.

Following: line 12

Insert: "(3) A person who generates less than 100 pounds of infectious waste a month and who packages, labels, and otherwise handles infectious waste in accordance with the guidelines of the federal occupational safety and health administration may store and transport infectious waste in the same manner as noninfectious solid waste but shall comply with treatment and disposal requirements and may not subject infectious waste to compaction."

Renumber: subsequent subsection

36. Page 9, line 20.

Strike: "treats, stores, or disposes of"

Insert: "manages"

37. Page 9, line 21.

Strike: "a"

Insert: "an infectious waste management"

38. Page 10, lines 19 and 20.

Following: "an" on line 19

Insert: "initial permit"

Following: "application"

Strike: "for" on line 19 through "facility" on line 20

39. Page 11, lines 10 through 20.

Strike: "No" on line 10 through line 20 in its entirety

Insert: "A commercial transporter shall possess an infectious waste transport permit issued by the department."

40. Page 12, lines 18 through 20.

Strike: "or" on line 18 through "Montana" on line 20

41. Page 12, line 21.

Strike: "may"

Insert: "shall"

42. Page 12, line 23.

Strike: "reduces the"

Insert: "results in an equivalent or reduced"

Following: "to"

Strike: "the"

Insert: "Montana's"

Following: "safety,"

Strike: "and"

43. Page 12, line 24.

Following: "welfare"

Insert: " "

Following: "and"

Strike: "to the"

44. Page 13, line 3.

Strike: "disposal"

Insert: "management"

45. Page 13, line 4.

Strike: "disposes of"

Insert: "manages"

46. Page 13, line 6.

Strike: "disposal"

Insert: "management"

47. Page 13, lines 11, 13, 16, 21, 23, and 25.

Strike: "disposes of"

Insert: "manages"

48. Page 13, lines 13 and 16.

Strike: "1,000"

Insert: "1,200"

49. Page 13, line 18.

Strike: "For"

Insert: "Except as provided in subsection (1)(c), for"

50. Page 13, line 19.

Strike: "disposes only of"

Insert: "manages only"

51. Page 14, line 1.

Strike: "10"

Insert: "25"

52. Page 14, line 2.

Strike: "disposed of"

Insert: "generated in a different region and managed at the facility, except as provided in subsection (1)(b)(iii)"

53. Page 14.

Following: line 2

Insert: "(iii) (A) The department shall waive the per-pound fee for specific sources of infectious waste transported across regional boundaries to a commercial management facility if the transport and management of that waste results in an equivalent or reduced risk to Montana's public health, safety, welfare, and environment when compared to the alternative of intraregional disposal.

(B) If a commercial facility manages only infectious waste for which a per-pound fee is not assessed, the annual fee for that commercial facility is \$2,000 if the facility manages less than 50,000 pounds of infectious waste and \$5,000 if the facility manages 50,000 pounds or more of infectious waste.

(c) For a commercial facility that manages a quantity of infectious waste no greater than the quantity managed at that facility during 1988, the annual fee is \$2,000.

(2) The infectious waste management fee must be paid no later than March 31 of the year following the calendar year for which the fee is assessed."

Renumber: subsequent subsection

54. Page 14, line 9.

Strike: "disposal"

Insert: "management"

55. Page 14, line 20.

Strike: "19"

Insert: "20"

56. Page 14, line 24.

Strike: "generated, treated, stored, or disposed of"

Insert: "managed"

57. Page 15, line 15.

Strike: "1"

Insert: "31"

58. Page 15, line 22.

Strike: "disposed of"

Insert: "managed"

59. Page 15, line 24.

Strike: "disposal"

Insert: "management"

60. Page 16, line 1.

Strike: "disposed of at"

Insert: "transported for management to"

61. Page 16, line 3.

Strike: "disposal"

Insert: "management"

Following: "transport"

Strike: "for that disposal"

62. Page 16, line 13.

Strike: "handling"

Insert: "management"

63. Page 16, line 19.

Strike: "1,000"

Insert: "50"

Strike: "year"

Insert: "month"

64. Page 16, line 24.

Strike: "handles 1,000"

Insert: "manages 50"

65. Page 16, line 25.

Strike: "year"

Insert: "month"

66. Page 17, line 2.

Strike: "1,000"

Insert: "50"

Following: "waste"

Insert: "in any month"

67. Page 17.

Following: line 2

Insert: "(c) The appointment of the same individual as infectious waste manager by two or more noninstitutional facilities in the same building or complex does not cause that building or complex to become a single facility."

68. Page 17, line 9.

Strike: "handling"

Insert: "management"

69. Page 17, line 13.

Strike: "disposal"

Insert: "management"

70. Page 17, line 14.

Strike: "disposal"

Insert: "management"

71. Page 18, line 16.

Following: "shall"

Insert: ", no later than June 30, 1990,"

72. Page 19, line 3.

Following: "an"

Insert: "initial permit"

73. Page 19, line 4.

Following: "commercial"

Strike: "treatment, storage, or disposal"

Following: "facility;"

Strike: "and"

74. Page 19, lines 5 through 9.

Strike: "a" on line 5

Following: "fee" on line 5

Strike: "reduction"

Insert: "reductions"

Following: "interregional transportation" on lines 5 and 6

Insert: "or management"

Strike: "if" on line 6 through "transport." on line 9

Insert: "as provided for in [sections 7 and 8]; and

(7) establishing, for the purpose of determining the infectious waste management fee to which a facility is subject under [section 8], methods for determining or estimating the amount of infectious waste managed at a facility."

75. Page 19, line 11.

Strike: "treatment, storage, and disposal"

Insert: "management"

76. Page 19, lines 13 and 14.

Strike: "treatment" on line 13 through "disposal" on line 14

Insert: "management"

77. Page 19, line 17.

Strike: "for the commercial activity"

Insert: "pursuant to [section 6]"

78. Page 19, line 19.

Strike: "treatment, storage, or disposal"

Insert: "management"

79. Page 19, line 22.

Strike: "handled"

Insert: "managed"

80. Page 19, line 24.

Strike: "handled"

Insert: "managed"

81. Page 20, line 10.

Strike: "by certified mail"

82. Page 22, line 6.

Strike: "\$10,000"

Insert: "\$1,000"

83. Page 22, line 9.

Strike: "\$10,000"

Insert: "\$5,000"

84. Page 22, line 14.

Strike: "treats, stores, or disposes of hazardous"

Insert: "manages infectious"

85. Page 22, line 22.

Strike: "\$20,000"

Insert: "\$10,000"

86. Page 25.

Following: line 6

Insert: "NEW SECTION. Section 24. Applicability dates — retro-active applicability for infectious waste management fee. (1) The department may enforce the management standards provided for in [section 5] and adopted by rule under [section 14] only for violations occurring after June 30, 1990.

(2) Requirements for an infectious waste management permit and an infectious waste transport permit apply after June 30, 1990.

(3) The infectious waste management fee provided for in [section 8] applies retroactively, within the meaning of 1-2-109, to waste managed during 1989.

(4) The annual infectious waste transport fee provided for in [section 7] applies to transporters operating after June 30, 1990. The initial permit is valid from July 1, 1990, through December 31, 1990.

(5) The requirement for an infectious waste manager provided for in [section 10] applies after September 30, 1989, and the initial infectious waste management report must be submitted on or before March 31, 1990.

(6) [This act] does not apply to the normal operations of any mortuary as defined in 37-19-101 or any crematory as defined in 35-21-101 until July 1, 1991."

Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 752, introduced bill, be amended as follows:

1. Title, line 6.

Following: the first "SOLID WASTE"

Strike: ","

Insert: "TRANSPORTED BETWEEN REGIONS; PROVIDING FOR A WAIVER OF THE FEE WHEN THE INCINERATION OR DISPOSAL IS CONSISTENT WITH SPECIFIED CRITERIA; EXEMPTING EXISTING SOLID WASTE INCINERATION AND DISPOSAL FROM THE FEE;"

2. Title, line 8.

Following: "FEE;"

Insert: "PROVIDING A CIVIL PENALTY FOR VIOLATIONS OF SOLID WASTE DISPOSAL LAWS AND RULES;"

3. Title, line 11.

Following: "75-10-104"

Strike: "AND"

Insert: ","

Following: "75-10-105,"

Insert: "AND 75-10-214,"

Following: "PROVIDING"

Insert: "AN IMMEDIATE"

4. Title, line 12.

Strike: "DATES"

Insert: "DATE"

5. Page 1, line 19.

Following: "1]"

Insert: "and for the waiver of the fee when consistent with the criteria provided in [section 1(2)]"

6. Page 2, line 7.

Strike: "board"

Insert: "department"

7. Page 2, lines 8 and 9.

Strike: "have" on line 8 through "to" on line 9

Insert: "waive the fee for"

8. Page 2, line 12.

Strike: "the"

Insert: "Montana's"

9. Page 2, line 13.

Following: "safety,"

Strike: "and"

Following: "welfare"

Strike: "and the"

Insert: ", and"

10. Page 2, lines 15 through 20.

Strike: "Fee" on line 15 through line 20 in its entirety

Insert: "The incineration or disposal of solid waste at a licensed facility in the manner and quantity incinerated or disposed of before [the effective date of this act] is exempt from the solid waste management fee."

11. Page 3, line 8.

Strike: "subsection"

Insert: "subsections"

Following: "(2)"

Insert: "and (3)"

12. Page 3, line 13.

Following: "fee"

Insert: "of \$1 for each ton of solid waste generated in a different region and incinerated or disposed of at the facility."

13. Page 3, line 14 through page 4, line 11.

Strike: page 3, line 14 through page 4, line 11 in its entirety

Insert: "(2) The fee provided in subsection (1) must be waived if the department"

14. Page 4, line 14.

Strike: "the"

Insert: "Montana's"

Following: "safety,"

Strike: "and"

15. Page 4, line 15.

Following: "welfare"

Insert: ", "

Following: "and"

Strike: "the"

16. Page 4, lines 17 through 25.

Strike: subsection (b) in its entirety

Insert: "(3) The incineration or disposal of solid waste at a licensed facility in the manner and quantity incinerated or disposed of before [the effective date of this act] is exempt from the solid waste management fee."

Renumber: subsequent section

17. Page 5, line 14.

Following: "2"

Strike: "and"

Insert: ", "

Following: "this part"

Insert: ", and [section 5]"

18. Page 8.

Following: line 3

Insert: "(4) This section does not relieve an owner or operator of a facility that incinerates 70 tons or less of solid waste a day from the obligation to obtain any permit otherwise required under this chapter or rules implementing this chapter."

NEW SECTION. Section 6. Civil penalties. (1) A person who violates any provision of this part, a rule adopted under this part, or a license provision is subject to a civil penalty not to exceed \$1,000. Each day of violation constitutes a separate violation.

(2) The department may institute and maintain in the name of the state any enforcement proceedings under this section. Upon request of the department, the attorney general or the county attorney of the county where the violation occurred shall petition the district court to impose, assess, and recover the civil penalty."

Renumber: subsequent sections

19. Page 9, lines 1 through 3.

Strike: "recommendations" on line 1 through "interregional"

Insert: "a waiver of"

20. Page 10.

Following: line 8

Insert: "Section 9. Section 75-10-214, MCA, is amended to read:

"75-10-214. Exclusions — exceptions to exclusions. (1) This part may not be construed to prohibit a person from disposing of his own solid waste generated in Montana upon land owned or leased by that person or covered by easement or permit as long as it does not create a nuisance or public health hazard.

(2) The exclusion contained in subsection (1) of this section does not apply to a division of land of 5 acres or less made after July 1, 1977, which falls within the definition of subdivision in Title 76, chapter 4, part 1, or the Montana Subdivision and Platting Act in Title 76, chapter 3."

Renumber: subsequent sections

21. Page 10.

Following: line 21

Insert: "(3) [Section 6] is intended to be codified as an integral part of Title 75, chapter 10, part 2, and the provisions of Title 75, chapter 10, part 2, apply to [section 6]."

22. Page 11, lines 3 through 6.

Strike: "dates" on line 3 through "are" on line 6

Insert: "date. [This act] is"

And, as amended, do pass. Report adopted.

TAXATION (Harrington, Chairman):

3/27/89

Adverse Committee Report

HB 747, introduced bill, be amended as follows:

1. Title, line 23.

Strike: "AND"

2. Title, line 24.

Following: "61-3-501,"

Insert: "AND 61-3-502,"

3. Page 5, line 4.

Following: "(ii)"

Insert: "soda pop or"

4. Page 6, line 15.

Following: "materials"

Insert: ", including the processing for ores in a mill, smelter, refinery,
or reduction facility,"

5. Page 6, line 21.

Following: "psychology"

Insert: "or licensed as a mental health professional or chemical
dependency counselor"

6. Page 9, line 21.

Strike: "2 1/2%"

Insert: "4%"

7. Page 9, lines 23 through 25.

Following: "." on line 23

Strike: the remainder of line 23 through line 25

8. Page 16, line 4.

Following: "—"

Insert: "prescribed"

9. Page 16, line 5.

Following: "drugs,"

Insert: "and"

Following: "devices"

Strike: ", and"

Insert: " — "

10. Page 16, line 6.

Following: "sale"

Insert: ", by prescription from a person described in [section
1(9)(a)],"

11. Page 16, line 11.

Strike: "The"

Insert: "Except as provided in [sections 1 through 69 and 73 through
75], the"

12. Page 20, line 14.

Following: "—"

Insert: "subscriptions —"

13. Page 20, line 15.

Following: "services."

Insert: "(1) The gross receipts from the sale of subscriptions to newspapers, magazines, and all other printed material are exempt from the sales tax.

(2)"

14. Page 20, line 20.

Strike: "(1)"

Insert: "(a)"

Re-number: subsequent subsections

15. Page 21, line 21.

Following: "to"

Insert: "miner or"

16. Page 21, line 23.

Following: "of"

Insert: "mining or"

17. Page 22, line 4.

Following: "business of"

Insert: "mining or"

18. Page 24, line 20.

Strike: "(a)"

19. Page 24, line 21.

Strike: "subsection (1)(b)"

Insert: "subsections (2) and (4)"

20. Page 24, line 25.

Strike: "(b)"

Insert: "(2)(a)"

Re-number: subsequent subsections

21. Page 25, line 1.

Following: "improvements"

Insert: ", other than residential improvements,"

22. Page 25.

Following: line 4

Insert: "(b) The proportion of the gross receipts from the sale of real property that is attributable to residential improvements constructed on the real property by the seller in the ordinary course of his construction business may be deducted from gross receipts in the proportion that the cost of the construction for everything other than materials bears to the gross receipts for the improvements."

23. Page 25, line 13.

Following: "of"

Strike: "this section"

Insert: "[sections 1 through 69 and 73 through 75]"

24. Page 25, line 15.

Following: "65"

Insert: ", and all such receipts are subject to the tax imposed in [section 2].

(5) For the purposes of this section, "residential improvements" means improvements to real property that are constructed for

human habitation in a structure containing fewer than three units. The term includes improvements made to existing residential improvements"

25. Page 27, line 3.

Following: "(1)"

Strike: "Receipts"

Insert: "Except as provided in subsection (4), receipts"

26. Page 28.

Following: line 4

Insert: "(4) Receipts from performing architectural, engineering, surveying, or graphic design services may be deducted from gross receipts if the product resulting from the service or the service is used or applied exclusively outside Montana. For the purposes of this subsection, the provisions of subsection (3) do not apply."

Renumber: subsequent subsection

27. Page 29, line 1.

Following: "chemicals"

Strike: "and"

Insert: ","

Following: "reagents"

Insert: ", and substances"

28. Page 29, line 3.

Strike: "chemicals or reagents"

Insert: "any chemical, reagent, or other substance"

29. Page 29, line 4.

Strike: "for use"

Insert: "that is used or consumed"

Following: "in"

Insert: "the"

Following: "processing"

Insert: "of"

30. Page 29, line 5.

Following: "smelter,"

Strike: "or"

Following: "refinery"

Insert: ", or reduction facility"

31. Page 29, line 22.

Following: "product"

Insert: "mined or"

32. Page 29, line 23.

Following: "service of"

Insert: "mining,"

Following: "combining"

Insert: ","

33. Page 29, line 24.

Following: "materials"

Insert: ", including minerals,"

34. Page 30, line 1.

Following: "of"

Insert: "mining or"

35. Page 30, line 5.

Following: "property"

Insert: ", including minerals,"

Following: "of"

Insert: "mining or"

36. Page 31.

Following: line 10

Insert: "NEW SECTION. Section 44. Deduction — computer data base services. (1) Receipts from the sale or use of computer data base services may be deducted from gross receipts.

(2) For the purposes of [sections 1 through 69 and 73 through 75], "computer data base services" means identifying, compiling, organizing, manipulating, or delivering information actually contained in or to be contained in a computer data base.

(3) Receipts from the sale of computer hardware, software, system development, design, or installation or the sale of an existing computer data base (as opposed to the sale or use of a computer data base service) may not be deducted from gross receipts."

Renumber: subsequent sections

37. Page 38, line 17.

Strike: "Common"

Insert: "Interstate and intrastate"

38. Page 38, line 19.

Strike: "by motor vehicle"

39. Page 39, line 9.

Strike: "On"

Insert: "Except as provided in subsection (2), on"

40. Page 39, line 12.

Following: "by the department"

Insert: ", and the tax due must be paid"

41. Page 39.

Following: line 17

Insert: "(2) A taxpayer who has a tax liability that averages less than \$100 a month and who has been granted the authority to report and remit the tax imposed by [sections 1 through 69 and 73 through 75] on a quarterly basis shall file a return with the payment on or before the 25th day of the month following the end of the calendar quarter."

Renumber: subsequent subsections

42. Page 43, line 21 through page 45, line 20.

Following: line 20 on page 43

Strike: line 21 through page 45, line 20

Insert: "(1) (a) If a person, without purposely or knowingly violating any requirement imposed by [sections 1 through 69 and 73 through 75], fails to file a return and remit the tax on or before the due date, there is imposed a penalty of 5% of any balance of debt unpaid, with respect to such a return, as of the date the return and remittance were due. In no case may the penalty for failure to file a return by the date due be less than \$5.

(b) The department of revenue may abate the penalty if the person establishes that the failure to file on time was due to reasonable cause and was not due to neglect on his part.

(2) (a) If a person, without purposely or knowingly violating any requirement imposed by [sections 1 through 69 and 73 through 75], fails to pay any tax due on or before the date due, there must be added to the tax as a penalty, 10% of the tax, but not less than \$5. Interest accrues on the tax due at the rate of 1% a month or fraction of a month for the entire period that the tax remains unpaid.

(b) The department may abate the penalty, including interest, if the person establishes that the failure to pay was due to reasonable cause and not due to neglect on his part.

(3) If a person purposely or knowingly violates any requirement imposed by [sections 1 through 69 and 73 through 75] by failing to make a return or to pay the tax due (if there is tax due) at the time required by [section 56], there must be added to the tax an additional amount equal to 25% of the tax due, but the additional amount may not be less than \$25, plus interest at 1% a month or fraction of a month during which the tax remains unpaid."

43. Page 47, line 4.

Strike: "5%"

Insert: "10%"

44. Page 47, lines 5 through 8.

Strike: subsection (1)(b) in its entirety

Renumber: subsequent subsections

45. Page 47, line 13.

Strike: "penalties"

Insert: "penalty"

46. Page 47, line 14.

Strike: "subsections"

Insert: "subsection"

Strike: "and (1)(b)"

47. Page 52, line 17.

Strike: "including"

Insert: "excluding"

48. Page 53, line 22.

Following: "15-30-112"

Insert: "(2) and (3)"

49. Page 53, line 25 through page 54, line 10.

Following: line 24 on page 53

Strike: line 25 through page 54, line 10

Insert: "\$ 0 - 12,999 \$100

13,000 - 14,999 50

15,000 - 19,999 25"

50. Page 54, line 23.

Following: "sought."

Insert: "In submitting a claim for the credit, the taxpayer shall submit the social security number for each exemption for which the credit is claimed, except for an exemption claimed for a person less than 2 years of age."

51. Page 55.

Following: line 6

Insert: "NEW SECTION. Section 73. Examination of credit claims — adjustments — delivery of notices and demands. (1) The department of revenue may examine the claims for credit and make an investigation of the records and accounts of a person making the claim if the department considers it necessary to determine the accuracy of the claim.

(2) If the department determines that the amount of the credit due is different from the amount reported to be due, the amount of credit computed on the basis of the examination conducted pursuant to subsection (1) constitutes the amount of credit due.

(3) If the credit due is less than the amount claimed to be due on the claimant's claim, the department shall notify the claimant of the amount due and demand payment, as provided in subsection (4). The amount due must be paid to the department within 60 days after the date of the postmark on the notice.

(4) The notice and demand for payment required by this section must contain a statement of the computation of the credit and must be:

(a) sent by first-class mail to the address listed on the claim, if any, or to the claimant's last-known address; or

(b) served personally upon the claimant.

NEW SECTION. Section 74. Penalties for violation. (1) If a person, without purposely or knowingly violating the provisions of [section 71 or 72], claims a credit to which he is not entitled, there is applied as a penalty 10% of the amount of the excess claimed but not due. In no case may the penalty be less than \$5. In addition, interest on the amount of the excess claimed but not due must be charged in the amount of 1% a month or partial month until the total debt is paid.

(2) If a person purposely or knowingly violates the provisions of [section 71 or 72], all future claims for credit must be denied by the department of revenue."

Renumber: subsequent sections

52. Page 56, line 18.

Strike: "1990"

Insert: "1989"

53. Page 56, line 19.

Strike: "and each year thereafter,"

54. Page 56, line 22.

Strike: "1990"

Insert: "1989"

55. Page 57, line 1.

Strike: "1991"

Insert: "1990"

56. Page 57, line 11.

Strike: "1991"

Insert: "1990"

57. Page 57, line 13.

Strike: "1990"

Insert: "1989"

58. Page 57, line 15.

Following: "certified"

Insert: "state and local"

Following: "mill"

Strike: "levy"

Insert: "levies"

59. Page 57, line 16.

Following: "county"

Insert: "and the appropriate state accounts"

60. Page 57, line 16.

Strike: "1991"

Insert: "1990"

61. Page 57.

Following: line 20

Insert: "(4) On or before May 31, 1990, the department shall remit to the county treasurer of each county 30% of the reimbursement amount computed by the department. The department shall base the reimbursement on the reduction in personal property tax revenues due to [sections 104 and 105] and applied to the taxable values and mill levies for tax year 1989."

Renumber: subsequent subsection

62. Page 57, line 23.

Strike: "state,"

Following: "municipal,"

Insert: "conservation district,"

63. Page 57, line 25.

Following: "distributed"

Insert: "but shall disregard state property tax levies"

64. Page 150.

Following: line 9

Insert: "Section 138. Section 61-3-502, MCA, is amended to read:

"61-3-502. Sales tax on new motor vehicles — exemptions. (1) In consideration of the right to use the highways of the state, there is imposed a tax upon all sales of new motor vehicles, excluding trailers, semitrailers, and housetrailer, for which a license is sought and an original application for title is made. The tax shall be paid by the purchaser when he applies for his original Montana license through the county treasurer.

(2) ~~Except as provided in subsection (4), the~~ The sales tax shall be:

~~(a) 1½% is 4% of the f.o.b. factory list price or f.o.b. port-of-entry list price, during the first quarter of the year or for a registration period other than a calendar year or calendar quarter;~~

~~(b) 1½% of the list price during the second quarter of the year;~~

~~(c) ¾ of 1% during the third quarter of the year;~~

~~(d) ¾ of 1% during the fourth quarter of the year.~~

~~(3) If the manufacturer or importer fails to furnish the f.o.b. factory list price or f.o.b. port-of-entry list price, the department may use published price lists.~~

~~(4) The new car sales tax on vehicles subject to the provisions of 61-3-313 through 61-3-316 is 1% of the f.o.b. factory list price or f.o.b. port of entry list price regardless of the month in which the new vehicle is purchased.~~

(5) The proceeds from this tax shall be remitted to the state treasurer every 30 days for credit as follows:

(a) 32.5% to the state highway account of the state special revenue fund; and

(b) 67.5% to the sales tax and use tax account described in [section 75].

~~(6) The new vehicle is not subject to any other assessment, fee in lieu of tax, or tax during the calendar year in which the original application for title is made.~~

(7)(6) (a) The applicant for original registration of any new and unused motor vehicle, or a new motor vehicle furnished without charge by a dealer to a school district for use as a traffic education motor vehicle by a school district operating a state-approved traffic education program within the state, whether or not previously licensed or titled to the school district (except a mobile home as defined in 15-1-101(1)), acquired by original contract after January 1 of any year, is required, whenever the vehicle has not been otherwise assessed, to pay the motor vehicle sales tax provided by this section irrespective of whether the vehicle was in the state of Montana on January 1 of the year.

(b) No motor vehicle may be registered or licensed under the provisions of this subsection unless the application for registration is accompanied by a statement of origin to be furnished by the dealer selling the vehicle, showing that the vehicle has not previously been registered or owned, except as otherwise provided herein, by any person, firm, corporation, or association that is not a new motor vehicle dealer holding a franchise or distribution agreement from a new car manufacturer, distributor, or importer.

~~(8)(7)~~ (a) Motor vehicles operating exclusively for transportation of persons for hire within the limits of incorporated cities or towns and within 15 miles from such limits are exempt from subsection (1).

(b) Motor vehicles brought or driven into Montana by a nonresident, migratory, bona fide agricultural worker temporarily employed in agricultural work in this state where those motor vehicles are used exclusively for transportation of agricultural workers are also exempt from subsection (1).

(c) Vehicles lawfully displaying a licensed dealer's plate as provided in 61-4-103 are exempt from subsection (1) when moving to or from a dealer's place of business when unloaded or loaded with dealer's property only, and in the case of vehicles having a gross loaded weight of less than 24,000 pounds, while being demonstrated in the course of the dealer's business."

Renumber: subsequent sections

65. Page 150, line 18.

Following: "rates"

Insert: "and credits"

66. Page 150, line 19.

Strike: "restriction on increasing"

Insert: "restrictions"

Following: "."

Insert: "(1)"

67. Page 150.

Following: line 21

Insert: "(2) The income tax credit for sales tax paid provided in [section 71] may be decreased only if the decrease is approved by the electorate."

68. Page 151, line 6.

Strike: "0.0001"

Insert: "0.001"

69. Page 156, line 11.

Strike: "June 13"

Insert: "November 7"

70. Page 158, line 5.

Strike: "137"

Insert: "151"

71. Page 158.

Following: line 13

Insert: "NEW SECTION. Section 158. Coordination instruction. If [this act] is approved at the election held pursuant to [section 150] and Senate Bill No. 287 is passed and approved, Senate Bill No. 287 is void."

72. Page 3, line 10.

Page 13, line 8.

Page 17, lines 7, 11, 17.

Page 22, line 11.

Page 23, line 3.

Page 32, line 3.

Page 33, lines 1, 22, 23.

Page 34, lines 16, 17.

Page 35, lines 6, 9, 22.

Page 36, line 13.

Page 37, line 23.

Page 38, lines 1, 14, 15, 21.

Page 39, line 10.

Page 40, lines 5, 7.

Page 42, line 4.

Page 45, line 22.

Page 46, lines 3, 4.

Page 48, lines 2, 11, 12, 16, 17, 20, 22, 23.

Page 49, lines 2, 3, 13, 14, 22.

Page 50, line 19.

Page 51, lines 1, 17, 22, 23.

Page 55, lines 10, 11.

Strike: "68"

Insert: "69"

Strike: "72"

Insert: "75"

73. Page 5, line 20.

Strike: "54"

Insert: "55"

74. Page 33, line 20.

Strike: "45"

Insert: "46"

75. Page 34, line 11.

Strike: "45"

Insert: "46"

76. Page 35, line 8.

Strike: "56"

Insert: "57"

77. Page 36, line 2.

Strike: "45"

Insert: "46"

78. Page 37, line 24.

Strike: "56"

Insert: "57"

79. Page 38, lines 6 and 24.

Strike: "45"

Insert: "46"

80. Page 42, line 14.

Strike: "62(2)"

Insert: "63(2) "

81. Page 52, line 3.

Strike: "69"

Insert: "70"

82. Page 52, line 3.

Strike: "71"

Insert: "72"

83. Page 52, line 6.

Strike: "70"

Insert: "71"

84. Page 55, line 4.

Strike: "69"

Insert: "70"

85. Page 55, line 4.

Strike: "71"

Insert: "72"

86. Page 55, line 14.

Strike: "73"

Insert: "76"

87. Page 55, line 21.

Strike: "74(3)"

Insert: "77(3)"

88. Page 56, line 8.

Strike: "105"

Insert: "108"

89. Page 56, line 11.

Strike: "138"

Insert: "142"

90. Page 96, line 5.
Strike: "73(1)(b)(ii)"
Insert: "76(1)(b)(ii)"

91. Page 133, line 9.
Strike: "73"
Insert: "76"

92. Page 150, line 23.
Strike: "137"
Insert: "141"

93. Page 150, line 23.
Strike: "144"
Insert: "148"

94. Page 151, line 18.
Strike: "73(1)(b)(iii)"
Insert: "76(1)(b)(iii)"

95. Page 154, line 10.
Strike: "137"
Insert: "141"

96. Page 154, line 10.
Strike: "142"
Insert: "146"

97. Page 154, line 12.
Strike: "137"
Insert: "141"

98. Page 154, line 12.
Strike: "142"
Insert: "146"

99. Page 154, line 25.
Strike: "136"
Insert: "140"

100. Page 154, line 25.
Strike: "147"
Insert: "151"

101. Page 155, line 3.
Strike: "146"
Insert: "150"

102. Page 156, line 8.
Strike: "136"
Insert: "140"

103. Page 156, line 8.
Strike: "147"
Insert: "151"

104. Page 156, line 17.
Strike: "68"
Insert: "69"

105. Page 156, line 17.
Strike: "72, 73"
Insert: "75, 76"

106. Page 156, line 17.

Strike: "136"

Insert: "140"

107. Page 156, line 19.

Strike: "68"

Insert: "69"

108. Page 156, line 19.

Strike: "72"

Insert: "75"

109. Page 156, line 20.

Strike: "73"

Insert: "76"

110. Page 156, line 20.

Strike: "136"

Insert: "140"

111. Page 156, line 21.

Strike: "69"

Insert: "70"

112. Page 156, line 21.

Strike: "71"

Insert: "74"

113. Page 156, line 24.

Strike: "69"

Insert: "70"

114. Page 156, line 24.

Strike: "71"

Insert: "74"

115. Page 156, line 25.

Strike: "74"

Insert: "77"

116. Page 156, line 25.

Strike: "135"

Insert: "139"

117. Page 157, line 2.

Strike: "74"

Insert: "77"

118. Page 157, line 3.

Strike: "135"

Insert: "139"

119. Page 157, line 4.

Strike: "105"

Insert: "108"

120. Page 157, line 6.

Strike: "105"

Insert: "108"

121. Page 157, line 7.

Strike: "137"

Insert: "141"

122. Page 157, line 7.

Strike: "144"

Insert: "148"

123. Page 157, line 9.

Strike: "137"

Insert: "141"

124. Page 157, line 10.

Strike: "144"

Insert: "148"

125. Page 158, line 3.

Strike: "145, 146"

Insert: "149, 150"

126. Page 158, line 7.

Strike: "73"

Insert: "76"

127. Page 158, line 7.

Strike: "137"

Insert: "141"

128. Page 158, line 7.

Strike: "144"

Insert: "148"

129. Page 158, line 9.

Strike: "74"

Insert: "77"

130. Page 158, line 9.

Strike: "134"

Insert: "138"

And, as amended, do not pass. Report adopted.

MESSAGES FROM THE SENATE

House bill indefinitely postponed and returned to the House:

3/23/89

HB 707, introduced by Iverson

MESSAGES FROM THE GOVERNOR

John Vincent

March 23, 1989

Speaker of the House

Montana House of Representatives

State Capitol

Helena, Montana 59620

Dear Representative Vincent:

Please be informed that I have signed House Bills 71, 124, 144, 147, 216, 232, 309, 352, 397, 408, 416, 426, 443, 488, 540, and 611 on March 22, 1989.

Sincerely,

STAN STEPHENS

Governor

MOTIONS

Representative Bradley excused at this time.

Representative Ramirez moved the rules be suspended to allow the late drafting and introduction of a bill.

Representative Quilici moved the previous question. Motion carried.

Representative Spaeth asked to be excused from voting on all votes concerning this measure due to a possible conflict of interest.

Thereupon, the motion to permit the late drafting and introduction of a bill carried.

Representative Bradley present at this time.

Representative Davis moved the rules be suspended to allow the late drafting and introduction of a bill. Motion carried.

Representative Simon moved SB 143 be taken from the table in the Committee on Human Services and Aging and printed and placed on second reading.

Representative Pavlovich moved the previous question. Motion carried.

Representative Gould excused at this time.

Thereupon, the motion failed. (49-42)

Representative Harper moved the House accede to the request of the Senate to return HB 616 for further consideration. Motion carried.

Representative Harper moved the rules be suspended to allow receipt of SJR 17 in the House. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Gilbert in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 18 - Representative Cohen moved SB 18 be placed below SB 452 on the second reading board.

Representative Thomas made a substitute motion SB 18 be placed below SB 178 on the second reading board. Motion carried.

SB 67 - Representative Hansen moved SB 67 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Compton, Connolly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: None.
Total 0

Excused: Cody, Gould, Moore, Nisbet, Patterson, Stickney.
Total 6

Absent or not voting: D. Brown, Grady.
Total 2

SB 70 - Representative Hansen moved SB 70 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: DeBruycker.
Total 1

Excused: Cody, Gould, Moore, Nisbet, Patterson, Stickney.
Total 6

Absent or not voting: Gilbert, Stepler.
Total 2

SB 87 - Representative Blotkamp moved SB 87 be concurred in. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 88

Noes: Aafedt, Boharski, DeBruycker, Ramirez, Stepler.
Total 5

Excused: Cody, Gould, Moore, Nisbet, Patterson, Stickney.
Total 6

Absent or not voting: Cobb.
Total 1

SB 91 - Representative Harper moved consideration of SB 91 be passed for the day. Motion carried.

SB 95 - Representative Bardanoue moved consideration of SB 95 be passed for the day. Motion carried.

Representative Harper moved SB 99, SB 100, SB 101, SB 129, SB 130, and SB 134 be placed below SB 315 on the second reading board. Motion carried.

SB 111 - Representative Steppler moved SB 111 be concurred in.

Representative Steppler made a substitute motion SB 111 be placed below SB 169 on the second reading board. Motion carried.

Representatives Brooke and Campbell excused at this time.

SB 160 - Representative Driscoll moved SB 160 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanoue, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Strizich, Swift, Swysgood, Thoft, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: DeBruycker, Guthrie, Wallin.

Total 3

Excused: Brooke, Campbell, Cody, Gould, Moore, Nisbet, Patterson, Stickney.

Total 8

Absent or not voting: Harrington.

Total 1

Representatives Gould and Nisbet present at this time.

SB 166 - Representative Spaeth moved SB 166 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanoue, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Clark, Cocchiarella, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 86

Noes: Cobb, Cohen, Gervais, Glaser, Pavlovich, Russell, Strizich, Whalen.

Total 8

Excused: Brooke, Campbell, Cody, Moore, Patterson, Stickney.

Total 6

Absent or not voting: None.

Total 0

SB 167 - Representative Spaeth moved SB 167, third reading copy, be amended as follows:

1. Page 2, line 18.

Following: "PROCESS."

Insert: "A person may not raise an objection to a matter in a reopened decree if he was a party to the matter when the matter was previously litigated and resolved as the result of the previous objection process, unless the objection is allowed for any of the following reasons:

(i) mistake, inadvertence, surprise, or excusable neglect;

(ii) newly discovered evidence that by due diligence could not have been discovered in time to move for a new trial under Rule 59(b), Montana Rules of Civil Procedure;

(iii) fraud, misrepresentation, or other misconduct of an adverse party;

(iv) the judgment is void;

(v) any other reason justifying relief from the operation of the judgment."

Representative Grinde excused at this time.

Representative Brooke present at this time.

Representative Westlake moved the amendment be segregated and subsection (v) be voted on separately. Motion carried.

Thereupon, the amendment relating to subsection (v) carried as follows:

Ayes: Aafedt, Addy, Bardanouve, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Hanson, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 81

Noes: Gervais, Guthrie, Hannah, Hansen, Harper, Keller, Russell, Stepler.

Total 8

Excused: Campbell, Cody, Grinde, Moore, Patterson, Stickney.

Total 6

Absent or not voting: Bachini, Blotkamp, Kadas, O'Connell, Peck.

Total 5

Thereafter, the remainder of the amendment carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: Gervais, Guthrie, Hannah, Whalen.

Total 4

Excused: Campbell, Cody, Grinde, Moore, Patterson, Stickney.

Total 6

Absent or not voting: Kadas.

Total 1

Representative Spaeth moved SB 167, as amended, be concurred in.
Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Gould, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.
Total 86

Noes: Cobb, Gervais, Glaser, Good, Guthrie, Peterson, Russell, Whalen.

Total 8

Excused: Campbell, Cody, Grinde, Moore, Patterson, Stickney.

Total 6

Absent or not voting: None.

Total 0

SB 168 - Representative Spaeth moved SB 168 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Strizich,

Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: Gervais, Whalen.
Total 2

Excused: Campbell, Cody, Grinde, Moore, Patterson, Stickney.
Total 6

Absent or not voting: DeBruycker, Stepler.
Total 2

SB 169 - Representative Spaeth moved SB 169, third reading copy, be amended as follows:

1. Page 4, line 4.

Strike: "CONCLUSIVE,"

Following: "ENFORCEABLE"

Strike: " "

2. Page 4, lines 5 and 6.

Strike: "BY THE WATER JUDGE"

3. Page 7, line 16.

Following: "DECREE.]"

Insert: "However, a person may not raise an objection to a matter in a preliminary decree if he was a party to the matter when the matter was previously litigated and resolved as the result of an objection raised in a temporary preliminary decree, unless the objection is allowed for any of the following reasons:

(i) mistake, inadvertence, surprise, or excusable neglect;

(ii) newly discovered evidence that by due diligence could not have been discovered in time to move for a new trial under Rule 59(b), Montana Rules of Civil Procedure;

(iii) fraud, misrepresentation, or other misconduct of an adverse party;

(iv) the judgment is void; or

(v) any other reason justifying relief from the operation of the judgment."

Representative Westlake moved the amendment be segregated and subsection (v) be voted on separately. Motion carried.

Thereupon, the amendment relating to subsection (v) carried as follows:

Ayes: Afedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Wyatt, Zook, Mr. Speaker.

Total 82

Noes: DeBruycker, Driscoll, Gervais, Koehnke, Russell, Stang, Stepler, Westlake, Whalen.

Total 9

Excused: Campbell, Cody, Grinde, Moore, Patterson, Stickney.

Total 6

Absent or not voting: O'Connell, Owens, Phillips.

Total 3

Thereafter, the remainder of the amendment carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanoue, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: Gervais, Guthrie, Hannah, Russell, Whalen.

Total 5

Excused: Campbell, Cody, Grinde, Moore, Patterson, Stickney.

Total 6

Absent or not voting: None.

Total 0

Representative Spaeth moved SB 169, as amended, be concurred in.
Motion carried as follows:

Ayes: Aafedt, Addy, Bardanoue, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Clark, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, Driscoll, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Good, Gould, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Swift, Swysgood, Thoft, Thomas, Wallin, Wyatt, Zook, Mr. Speaker.

Total 77

Noes: Bachini, Cobb, DeBruycker, DeMars, Gervais, Glaser, Guthrie, Koehnke, Owens, Peterson, Raney, Russell, Strizich, Westlake, Whalen.

Total 15

Excused: Campbell, Cody, Grinde, Moore, Patterson, Stickney.

Total 6

Absent or not voting: Brooke, Mercer.

Total 2

SB 111 - Representative Steppler moved SB 111, third reading copy, be amended as follows:

1. Page 6, line 4.

Following: "EDUCATION"

Insert: ", experience,"

Amendment passed as follows:

Ayes: Addy, Bachini, Bardanoue, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Steppler, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: Aafedt.

Total 1

Excused: Campbell, Cody, Grinde, Moore, Patterson, Stickney.

Total 6

Absent or not voting: DeBruycker, Mercer, Russell, Stang.

Total 4

Representative Grinde present at this time.

Representative Spring moved SB 111, as amended, be concurred in.
Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanoue, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: Glaser, Hoffman, Swysgood.

Total 3

Excused: Campbell, Cody, Moore, Patterson, Stickney.

Total 5

Absent or not voting: Clark, Menahan, Russell.

Total 3

SB 178 - Representative Thomas moved SB 178 be concurred in.
Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Steppler, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: Hanson, Kasten, Keller, Owens, Phillips.

Total 5

Excused: Campbell, Cody, Moore, Patterson, Stickney.

Total 5

Absent or not voting: Ellison, Mercer, Spring.

Total 3

SB 18 - Representative Cohen moved consideration of SB 18 be passed for the day. Motion carried.

SB 207 - Representative Bachini moved SB 207, third reading copy, be amended as follows:

1. Strike: committee amendment No. 3 in its entirety

Insert: at page 4 of the bill following line 1

“(5) The landlord is not liable for damages caused as a result of the failure of the smoke detector required under subsection (1)(g).

NEW SECTION. Section 2. Extension of authority. Any existing authority to make rules on the subject of the provisions of [this act] is extended to the provisions of [this act].”

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: Gervais, O'Keefe, Russell, Whalen.

Total 4

Excused: Campbell, Cody, Moore, Patterson, Stickney.

Total 5

Absent or not voting: Bardanouve, Mercer, Ream, Strizich.

Total 4

Representatives Swysgood and Thoft excused at this time.

Representative Connelly moved SB 207, as amended, be concurred in.
Motion carried as follows:

Ayes: Addy, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Giacometto, Glaser, Gould, Grady, Hannah, Harper, Harrington, Hayne, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McDonough, Menahan, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simpkins, Smith, Spaeth, Squires, Stepler, Strizich, Thomas, Westlake, Wyatt, Zook, Mr. Speaker.

Total 67

Noes: Aafedt, Bachini, Gervais, Gilbert, Good, Grinde, Hansen, Hanson, Hoffman, Kasten, McCormick, Owens, Peck, Peterson, Phillips, Simon, Stang, Swift, Wallin, Whalen.

Total 20

Excused: Campbell, Cody, Moore, Patterson, Stickney, Swysgood, Thoft.

Total 7

Absent or not voting: Cohen, Driscoll, Guthrie, Mercer, L. Nelson, Spring.

Total 6

Representatives Campbell, Swysgood, and Thoft present at this time.

SB 209 - Representative Spaeth moved SB 209 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Harper, Hayne, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, R. Nelson, T. Nelson, Nisbet, O'Connell, Pavlovich, Peck, Phillips, Quilici, Ramirez, Ream, Rice, Russell, Schye, Simon, Smith, Spaeth, Squires, Stang, Strizich, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 72

Noes: Bardanouve, Campbell, Compton, Elliott, Gilbert, Grinde, Hanson, Hoffman, Kasten, Koehnke, L. Nelson, O'Keefe, Owens, Peterson, Raney, Rehberg, Roth, Simpkins, Spring, Stepler, Swift, Swysgood, Thoft.

Total 23

Excused: Cody, Moore, Patterson, Stickney.

Total 4

Absent or not voting: Harrington.

Total 1

SB 261 - Representative Ramirez moved consideration of SB 261 be passed for the day. Motion carried.

SB 272 - Representative Addy moved SB 272 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott,

Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Steppler, Strizich, Swift, Swysgood, Thoft, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: Bachini, Guthrie, Koehnke, McCormick, Peck, Wallin.

Total 6

Excused: Cody, Moore, Patterson, Stickney.

Total 4

Absent or not voting: Marks, O'Connell, Spring.

Total 3

SB 285 - Representative Smith moved SB 285 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Cody, Moore, Patterson, Stickney.

Total 4

Absent or not voting: D. Brown, Cohen, O'Connell, Whalen.

Total 4

SB 296 - Representative Cocchiarella moved SB 296 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Cody, Moore, Patterson, Stickney.

Total 4

Absent or not voting: Bardanouve, Brooke.

Total 2

SB 311 - Representative Hansen moved SB 311 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Cody, Moore, Patterson, Stickney.

Total 4

Absent or not voting: O'Connell.

Total 1

SB 313 - Representative Spaeth moved consideration of SB 313 be passed for the day. Motion carried.

SB 315 - Representative Smith moved SB 315 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Cody, Moore, Patterson, Stickney.

Total 4

Absent or not voting: None.

Total 0

SB 99 - Representative Gould moved SB 99, third reading copy, be amended as follows:

1. Page 2, line 3.

Following: "the"

Insert: "individual"

Following: "recipient"

Insert: ", but not the rest of that recipient's household,"

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Cody, Moore, Patterson, Stickney.

Total 4

Absent or not voting: Cohen.

Total 1

Representative Gould moved SB 99, as amended, be concurred in.
Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Cohen, Nisbet, Whalen.

Total 3

Excused: Cody, Moore, Patterson, Stickney.

Total 4

Absent or not voting: D. Brown, Harrington.

Total 2

March 27, 1989

SB 100 - Representative Gould moved SB 100, third reading copy, be amended as follows:

1. Strike: House standing committee amendments to Senate Bill 100 dated March 20, 1989, in their entirety.

Amendment passed as follows:

Ayes: Aafedt, Addy, Blotkamp, Boharski, Bradley, Campbell, Clark, Cobb, Compton, Connelly, DeBruycker, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Harper, Hayne, Hoffman, Iverson, Kasten, Keller, Knapp, Koehnke, Lee, Mercer, R. Nelson, T. Nelson, Owens, Peck, Peterson, Phillips, Ramirez, Rehberg, Rice, Roth, Simon, Simpkins, Smith, Spaeth, Spring, Stepler, Swift, Swysgood, Thoft, Thomas, Wallin, Zook, Mr. Speaker.

Total 56

Noes: Bachini, Brooke, J. Brown, Cocchiarella, Cohen, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Gervais, Hansen, Harrington, Johnson, Kadas, Kilpatrick, Kimberley, McCormick, McDonough, Menahan, L. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Quilici, Raney, Russell, Schye, Squires, Stang, Strizich, Westlake, Whalen, Wyatt.

Total 36

Excused: Cody, Moore, Patterson, Stickney.

Total 4

Absent or not voting: Bardanouve, D. Brown, Marks, Ream.

Total 4

Representative Gould moved SB 100, as amended, be concurred in.
Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, O'Connell, O'Keefe, Owens, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Stang, Stepler, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 84

Noes: Brooke, Cohen, Daily, Gervais, Harrington, Nisbet, Pavlovich, Squires, Whalen.

Total 9

Excused: Cody, Moore, Patterson, Stickney.

Total 4

Absent or not voting: D. Brown, Hansen, Kadas.

Total 3

Representative Stickney present at this time.

SB 101 - Representative Bradley moved SB 101, third reading copy, be amended as follows:

Amend House Committee on Human Services and Aging standing committee amendments dated March 20, 1989 to read as follows:

1. Strike: amendment number 3 in its entirety
2. Strike: amendment number 4 in its entirety

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Compton, Connelly, Daily, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, O'Connell, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 82

Noes: Blotkamp, D. Brown, Darko, Gervais, Good, Hansen, Kadas, Kilpatrick, Nisbet, O'Keefe, Raney, Russell, Strizich, Whalen.

Total 14

Excused: Cody, Moore, Patterson.

Total 3

Absent or not voting: Driscoll.

Total 1

Representative Simon moved SB 101, third reading copy, be amended.
Amendment failed. (33-64)

Representative Bradley moved SB 101, as amended, be concurred in.
Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: D. Brown, Gervais, Harrington, McDonough, Nisbet, Whalen.

Total 6

Excused: Cody, Moore, Patterson.

Total 3

Absent or not voting: None.

Total 0

SB 128 - Representative Hansen moved SB 128 be concurred in.

Representative Marks made a substitute motion to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative Marks moved SB 128, third reading copy, be amended as follows:

Amend House Human Services and Aging Standing Committee Report on SB 128 dated March 21, 1989, as follows:

1. Amendment No. 33.

Following: "Insert:"

Insert: "NEW SECTION. Section 2. Payment after performance. (1) In a county with state-assumed welfare services, an employable person may receive general relief for shelter and personal needs if:

(a) he has completed and filed a proper application for assistance; and

(b) all employable members of the household have completed 2 full weeks in a structured job search, training, or workfare program as required in 53-3-304.

(2) A person is ineligible for assistance under subsection (1) if:

(a) the person fails to cooperate with the department in its investigation of eligibility; or

(b) the department's investigation during the 2-week period described in subsection (1)(b) discloses that the person is ineligible to receive assistance."

Renumber: sections in House Standing Committee Report

2. Amendment No. 36.

In insert in new section 12

Following: first "[Sections 2 through"

Strike: "6"

Insert: "7"

Following: second "[sections 2 through"

Strike: "6"

Insert: "7"

Amendment passed as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Campbell, Clark, Cobb, Cohen, Compton, DeBruycker, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Knapp, Koehnke, Lee, Marks, Mercer, R. Nelson, T. Nelson, O'Connell, Owens, Peck, Peterson, Phillips, Ramirez, Rehberg, Rice, Roth, Simon, Simpkins, Smith, Spaeth, Spring, Stang, Stepler, Swift, Swysgood, Thoft, Thomas, Wallin, Zook, Mr. Speaker.

Total 59

Noes: Addy, Brooke, D. Brown, J. Brown, Cocchiarella, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Gervais, Good, Hansen, Harper, Harrington, Kadas, Kilpatrick, Kimberley, McDonough, Menahan, L. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, Russell, Schye, Squires, Stickney, Strizich, Westlake, Whalen, Wyatt.

Total 37

Excused: Cody, Moore, Patterson.

Total 3

Absent or not voting: McCormick.

Total 1

Representative Hansen moved SB 128, as amended, be concurred in.
Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Driscoll, Harrington, McDonough, Quilici, Whalen.

Total 5

Excused: Cody, Moore, Patterson.

Total 3

Absent or not voting: D. Brown.

Total 1

Representative Cocchiarella excused at this time.

Representative Cody present at this time.

Representative Iverson assumed the Chair at this time.

SB 129 - Representative Gould moved SB 129 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Kadas.

Total 1

Excused: Cocchiarella, Moore, Patterson.

Total 3

Absent or not voting: Ellison, Grinde.

Total 2

SB 130 - Representative Simon moved SB 130 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cody, Cohen,

March 27, 1989

Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Cocchiarella, Moore, Patterson.

Total 3

Absent or not voting: None.

Total 0

Representative Gilbert resumed the Chair at this time.

SB 134 - Representative McCormick moved SB 134 be concurred in.
Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Owens.

Total 1

Excused: Cocchiarella, Moore, Patterson.

Total 3

Absent or not voting: Bardanouve, Pavlovich.

Total 2

SB 348 - Representative Pavlovich moved SB 348 be concurred in.
Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, J. Brown, Campbell, Clark, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, O'Connell, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez,

Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: Brooke, D. Brown, Driscoll, Kimberley, Nisbet, O'Keefe, Squires, Whalen.

Total 8

Excused: Cocchiarella, Moore, Patterson.

Total 3

Absent or not voting: Bardanouve, Cobb.

Total 2

SB 353 - Representative Harper moved SB 353 be concurred in.

Representative Clark made a substitute motion that consideration of SB 353 be passed for the day. Motion failed. (39-57)

Thereupon, SB 353 was concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cody, Compton, Daily, Darko, Davis, DeBruycker, DeMars, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Zook, Mr. Speaker.

Total 77

Noes: Bardanouve, Blotkamp, Clark, Cobb, Cohen, Connelly, Driscoll, Elliott, Gervais, Hansen, Harrington, McCormick, O'Connell, Raney, Ream, Russell, Steppler, Westlake, Whalen, Wyatt.

Total 20

Excused: Cocchiarella, Moore, Patterson.

Total 3

Absent or not voting: None.

Total 0

SB 363 - Representative Mercer moved SB 363 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Driscoll, Raney, Stang.
Total 3

Excused: Cobb, Cocchiarella, Moore, Patterson.
Total 4

Absent or not voting: Marks.
Total 1

SB 372 - Representative Smith moved SB 372 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Owens.
Total 1

Excused: Cobb, Cocchiarella, Moore, Patterson.
Total 4

Absent or not voting: Brooke.
Total 1

SB 388 - Representative Harper moved consideration of SB 388 be passed for the day. Motion carried.

SB 389 - Representative Mercer moved consideration of SB 389 be passed for the day. Motion carried.

Representative Cobb present at this time.

SB 390 - Representative Clark moved SB 390 be concurred in. Motion carried as follows:

Ayes: Aafedt, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cohen, Compton, Daily, DeBruycker, Eudaily, Giacometto, Gilbert, Good, Gould, Grady, Grinde, Hannah, Hanson, Hayne, Hoffman, Iverson, Johnson, Kasten, Kilpatrick, Knapp, Lee, Marks, McDonough, Menahan, Mercer, R. Nelson, T. Nelson, O'Keefe, Owens, Peck, Peterson, Phillips, Quilici, Ramirez, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stickney, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Zook, Mr. Speaker.
Total 61

Noes: Addy, Bachini, Bardanouve, D. Brown, Campbell, Cody, Connelly, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Gervais, Glaser, Guthrie, Hansen, Harper, Harrington, Kadas, Keller, Kimberley, Koehnke, McCormick, Moore, L. Nelson, Nisbet, O'Connell, Pavlovich, Raney, Ream, Schye, Stang, Stepler, Strizich, Whalen, Wyatt.
Total 37

Excused: Cocchiarella, Patterson.

Total 2

Absent or not voting: None.

Total 0

Representative Cobb excused at this time.

SB 398 - Representative Boharski moved SB 398 be concurred in.
Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Stepler.

Total 1

Excused: Cobb, Cocchiarella, Moore, Patterson.

Total 4

Absent or not voting: Cohen, Ellison, Gilbert, Ream, Schye.

Total 5

Representative Quilici moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Gilbert moved the adoption of the committee report. Report adopted. (81-13)

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

HB 780 passed as follows:

Ayes: Addy, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Gervais, Good, Grady, Grinde, Hansen, Harper, Harrington, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Marks, McCormick, McDonough, Menahan, Nisbet, O'Keefe, Pavlovich, Peterson, Quilici, Raney, Ream, Rice, Russell, Schye, Spaeth, Squires, Stang, Stickney, Strizich, Whalen, Wyatt, Mr. Speaker.

Total 51

Noes: Aafedt, Bachini, Bardanouve, Boharski, Campbell, Clark, DeBruycker, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Guthrie, Hannah, Hanson, Hayne, Hoffman, Kasten, Keller, Koehnke, Lee, Mercer, L. Nelson, R. Nelson, T. Nelson, Owens, Peck, Phillips, Ramirez, Rehberg, Roth, Simon, Simpkins, Smith, Spring, Stepler, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Zook.

Total 44

Excused: Cobb, Cocchiarella, Moore, Patterson.

Total 4

Absent or not voting: O'Connell.

Total 1

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

3/27/89

Correctly printed: HB 202, HB 676, HB 752.

Correctly enrolled: HB 113, HB 207, HB 340, HB 355, HB 393, HB 396, HB 411, HB 465, HB 478, HB 516, HB 524, HB 557, HB 559, HB 569, HB 578, HB 594, HB 610, HB 642, HB 677, HB 678, HB 685, HJR 12, HJR 16, HJR 17, HJR 21, HJR 24.

Signed by the Speaker at 1:30 p.m., 3/27/89: SB 250, SB 355, SB 381, SB 421.

Signed by the Speaker at 5:30 p.m., 3/27/89: SB 260, SB 321, SB 325, SB 439.

Examined by the sponsors and found to be correct:

HB 113 - Rehberg

HB 207 - Gould

HB 340 - Lee

HB 355 - Cohen

HB 393 - Darko

HB 396 - Davis

HB 411 - J.Brown

HB 465 - Iverson

HB 478 - Roth

HB 516 - Hanson

HB 524 - Hansen

HB 557 - Bachini

HB 559 - Eudaily

HB 569 - Nisbet

HB 578 - Rice

HB 594 - Thomas

HB 610 - Cobb

HB 642 - Strizich

HB 677 - Driscoll

HB 678 - Gilbert

HB 685 - Daily

HJR 12 - Bradley

HJR 16 - Hannah

HJR 17 - Schye

HJR 21 - Spaeth

HJR 24 - Pavlovich

MESSAGES FROM THE GOVERNOR

John Vincent
Speaker of the House
Montana House of Representatives
State Capitol
Helena, Montana 59620

March 27, 1989

Dear Representative Vincent:

Please be informed that I have signed House Bills 97, 114, 116, 127, 139, 142, 152, 167, 210, 218, 290, and 431 on March 21, 1989.

Sincerely,

STAN STEPHENS
Governor

John Vincent
Speaker of the House
Montana House of Representatives
State Capitol
Helena, Montana 59620

March 27, 1989

Dear Representative Vincent:

Please be informed that I have signed House Bills 68, 77, 177, 206, 225, 228, 242, 243, 270, 273, 292, 310, 327, 345, 362, 366, 409, 454, 470, 499, 519, 527, 604, 636, 658, and 705 on March 23, 1989.

Sincerely,

STAN STEPHENS
Governor

John Vincent
Speaker of the House
Montana House of Representatives
State Capitol
Helena, Montana 59620

March 27, 1989

Dear Representative Vincent:

Please be informed that I have signed House Bills 118, 172, 201, 248, 249, 312, 321, 365, 377, 385, 388, 438, 467, 453, 482, 505, 521, 570, and 683 on March 24, 1989.

Sincerely,

STAN STEPHENS
Governor

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, Montana 59620

March 27, 1989

The Honorable Jack Galt
President of the Senate
State Capitol
Helena, Montana 59620

Dear Representative Vincent and Senator Galt:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return House Bill 1, "AN ACT TO AMEND THE REVENUE OVERSIGHT COMMITTEE'S REVIEW FUNCTIONS AND POWERS OVER DEPARTMENT OF REVENUE RULES TO CORRESPOND WITH THOSE REVIEW FUNCTIONS AND POWERS GRANTED THE ADMINISTRATIVE CODE COMMITTEE OVER OTHER AGENCY RULES; AND AMENDING SECTIONS 2-4-402 AND 5-18-107, MCA." with the attached amendments for the following reasons.

According to the Title of House Bill 1, the new authority of the Revenue Oversight Committee is supposed to correspond to the authority of the Administrative Code Committee. However, the language of the section which corresponds to subsection (g) is much different. Subsection (d) of

Section 2-4-402, MCA, allows the committee to institute or intervene in court proceedings "involving this chapter". Subsection (g) allows the Revenue Oversight Committee to institute or intervene in proceedings that "involve rulemaking or rule enforcement activities of the department".

The language in subsection (g) is much broader than the corresponding language in Section 2-4-402. A large share of the lawsuits that the Department is involved in deal with enforcement of a rule and yet they have nothing to do with rulemaking. The authority of the rule is not in question. The Department is enforcing the rule in regard to a particular factual situation or taxpayer. In many cases, the particular rule being enforced is the same or similar to the statute. The rule and the statute are both being enforced.

The effect of the new language is to give the Revenue Oversight Committee virtually unlimited authority to intervene in tax cases. In addition, they could essentially create their own tax cases based upon this language. Enforcement of statutes and lawfully enacted rules is the duty of the executive branch not the legislature.

The legislature can lawfully become involved in rulemaking because the executive branch gets its authority for rulemaking through a delegation from the legislature. Thus, the authority for a rule is a matter of legislative concern. My amendment would permit legislative review of the department's rulemaking and would be consistent with the Montana Administrative Procedure Act.

The language of subsection (g) should be amended to be the same or similar to the language of Section 2-4-402.

The sponsor has concurred with this amendment. I urge your concurrence as well.

Governor's Amendment to HB 1

1. Page 3, lines 12 through 18.

Strike: subsection (g) in its entirety

Insert: "(g) institute, intervene in, or otherwise participate in proceedings involving the legality of a rule under the Montana Administrative Procedure Act in the state and federal courts and administrative agencies;"

Sincerely,

STAN STEPHENS
Governor

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bill was introduced, read first time, and referred to committee:

HB 791, introduced by Ramirez, Harrington, referred to Committee on Taxation

The following Senate bill was introduced, read first time, and referred to committee:

SJR 17, introduced by Noble, Thayer, Williams, Boylan, Meyer, Weeding, McLane, Lynch (by request of the Senate Business and Industry Committee), referred to Committee on Business and Economic Development

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Quilici moved the House adjourn until 9:00 a.m., Tuesday, March 28, 1989.

Motion carried.

House adjourned at 6:37 p.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

SIXTY-NINTH LEGISLATIVE DAY

Helena, Montana
March 28, 1989

House Chambers
State Capitol

House convened at 10:05 a.m., Mr. Speaker in the Chair. Invocation by Representative Rice. Pledge of Allegiance to the Flag.

Roll call. All members present except Moore, excused. Quorum present.

Representative Harper moved the House recess until 11:00 a.m.

Motion carried.

House recessed at 10:09 a.m.

House reconvened at 11:38 a.m. Mr. Speaker in the Chair.

Representative Harper moved the House recess until 1:00 p.m.

Motion carried.

House recessed at 11:40 a.m.

House reconvened at 1:00 p.m. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

3/28/89

Correctly engrossed: SB 70, SB 129, SB 134, SB 160, SB 166, SB 167, SB 169, SB 272, SB 285, SB 296, SB 311, SB 348, SB 363, SB 390.

Signed by the Speaker at 6:15 p.m., 3/27/89: HB 84, HB 113, HB 207, HB 289, HB 340, HB 355, HB 393, HB 396, HB 411, HB 465, HB 466, HB 478, HB 516, HB 524, HB 557, HB 559, HB 569, HB 578, HB 591, HB 594, HB 605, HB 610, HB 642, HB 677, HB 678, HB 685, HJR 12, HJR 16, HJR 17, HJR 21, HJR 24.

Delivered to the Governor for his approval at 9:15 a.m., 3/28/89: HB 171, HB 185, HB 247, HB 264, HB 344, HB 406, HB 412, HB 424, HB 448, HB 471, HB 491, HB 492, HB 541, HB 558, HB 620, HB 646, HB 662, HB 670, HB 708, HB 744.

TAXATION (Harrington, Chairman):

3/28/89

HB 125, introduced bill, be amended as follows:

1. Title, lines 5 through 8.

Following: "FREEZE" on line 5

Strike: remainder of line 5 through "YEAR" on line 8

2. Title, lines 10 through 13.

Following: "DEVELOPMENT" on line 10

Strike: remainder of line 10 through "LIMITATION" on line 13

3. Page 1, line 19 through page 2, line 18.

Strike: section 1 in its entirety

Renumber: subsequent sections

4. Page 5, lines 23 and 24.

Strike: "._

(a)"

5. Page 6, line 3.

Following: "may"

Insert: "in no case may"

Following: "the"
Strike: "number"

6. Page 6, line 4.

Strike: "of"
Following: "levied"
Strike: remainder of line 4

7. Page 6, lines 7 through 10.
Strike: subsection (b) in its entirety

8. Page 6, line 12.
Strike: ", budget category,"

9. Page 6, line 25.
Following: ","
Insert: "and"

10. Page 7, lines 2 through 5.
Following: "90-5-112"
Strike: remainder of line 2 through "control" on line 5

11. Page 7, line 6.
Strike: "(a)"

12. Page 7, lines 8 through 15.
Following: "liability" on line 8
Strike: remainder of line 8 through "held" on line 15

13. Page 7, line 18.
Strike: "(i)"
Insert: "(a)"
Renumber: subsequent subsections

And, as amended, do pass. Report adopted.

HB 764, introduced bill, be amended as follows:

1. Page 55, line 2.
Strike: "6%"
Insert: "4%"

2. Page 55, line 6.
Strike: "6%"
Insert: "4%"

And, as amended, do pass. Report adopted.

Adverse Committee Report

HB 790, do not pass.

Representative Quilici present at this time.

ADVERSE COMMITTEE REPORT

HB 747 - Representative Harrington moved the 3/27/89 adverse committee report on HB 747 be adopted.

Representative Bradley made a substitute motion that HB 747 be tabled. Motion carried as follows:

Ayes: Aafedt, Addy, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Compton, Connelly, DeBruycker, DeMars, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady,

Grinde, Guthrie, Hannah, Hansen, Hanson, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Knapp, Lee, Marks, McDonough, Menahan, Mercer, R. Nelson, T. Nelson, Owens, Patterson, Peterson, Phillips, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Zook, Mr. Speaker.
Total 64

Noes: Bachini, Bardanouve, Blotkamp, Cody, Cohen, Daily, Darko, Davis, Driscoll, Elliott, Gervais, Good, Harper, Harrington, Kadas, Kilpatrick, Kimberley, Koehnke, McCormick, L. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Quilici, Raney, Schye, Squires, Stang, Stepler, Stickney, Strizich, Whalen, Wyatt.
Total 35

Excused: Moore.
Total 1

Absent or not voting: None.
Total 0

MOTIONS

Representative Rice moved SB 307 be taken from the table in the Committee on Judiciary and be printed and placed on second reading this legislative day. Motion failed. (49-49)

Representative Ramirez moved SB 441 be taken from the table in the Committee on Appropriations and HB 725 be taken from the table in the Committee on Taxation and be printed and placed on second reading this legislative day.

Representative Harper moved the question be divided. Motion carried.

Thereupon, the motion relating to SB 441 failed. (51-48)

Thereafter, the motion relating to HB 725 failed. (53-46)

Representative Bradley moved HB 266 be taken from the table in the Committee on Taxation and be printed and placed on second reading. Motion failed. (36-62)

Representative Harper moved the House dissolve the conference committee on SB 284 and the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to consider House amendments to SB 284. Motion carried.

Speaker Vincent appointed the following members:

Representative Blotkamp, Chairman
Representative DeMars
Representative Wallin

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on Senate Bill No. 284
Report No. 1, March 27, 1989

Mr. President and Mr. Speaker:

We, your Free Conference Committee on Senate Bill 284 considered and recommend that SB 284 (reference copy — salmon) be amended as follows:

1. Page 5, lines 21 and 22.

Strike: "EXEMPTION FOR FINANCIAL INSTITUTIONS"

Insert: "Exemptions"

2. Page 5, line 22.

Following: "INSTITUTIONS."

Insert: "(1)"

3. Page 5, line 25.

Strike: "(1)"

Insert: "(a)"

4. Page 6, line 2.

Strike: "(2)"

Insert: "(b)"

5. Page 6, line 4.

Strike: "(3)"

Insert: "(c)"

6. Page 6.

Following: line 8

Insert: "(2) This part does not require licensure of an auctioneer whose business consists primarily of the sale of personal property other than motor vehicles."

And this Free Conference Committee report be adopted.

For the Senate:

Thayer, Chairman

Noble

Weeding

For the House:

Blotkamp

Wallin

DeMars

Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:

3/27/89

HB 274, introduced by Quilici

HB 395, introduced by Cody

HB 401, introduced by D. Brown

HB 571, introduced by D. Brown

HB 572, introduced by DeMars

HB 592, introduced by Driscoll

HB 602, introduced by Roth

House bills concurred in as amended and returned to the House for concurrence in Senate amendments:

3/27/89

HB 73, introduced by Kimberley

HB 367, introduced by O'Keefe

HB 425, introduced by Vincent

HB 440, introduced by D. Brown

HB 458, introduced by Peck

HB 542, introduced by Guthrie

HB 577, introduced by Simon

HB 655, introduced by Harper

Senate bill passed and transmitted to the House for concurrence:

3/27/89

SB 465, introduced by Pipinich

Senate bill No. 91 returned by request of the House for further consideration. 3/28/89

The Senate, on 3/27/89, dissolved the conference committee on House amendments to SB 284 and the President was authorized to appoint a free conference committee.

President Galt appointed the following members:

Senator Thayer, Chairman
Senator Noble
Senator Weeding

MESSAGES FROM THE GOVERNOR

John Vincent
Speaker of the House
Montana House of Representatives
State Capitol
Helena, Montana 59620

March 27, 1989

Dear Representative Vincent:

Please be informed that I have signed House Bills 2, 43, 101, 128, 151, 192, 231, 239, 251, 252, 253, 278, 308, 317, 326, 347, 351, 368, 372, 374, 375, 407, 419, 434, 449, 573, 598, 679, and 680 on March 27, 1989.

Sincerely,

STAN STEPHENS
Governor

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, Montana 59620

March 28, 1989

The Honorable Jack Galt
President of the Senate
State Capitol
Helena, Montana 59620

Dear Representative Vincent and Senator Galt:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby return Senate Bill 80, "AN ACT ELIMINATING THE CATEGORY OF "OTHER SPECIAL REVENUE FUNDS" FROM THE STATE TREASURE FUND STRUCTURE; RECLASSIFYING OTHER SPECIAL REVENUE FUNDS AS STATE OR FEDERAL SPECIAL REVENUE FUNDS; AMENDING SECTIONS 17-2-102, 17-2-111, 17-3-1003, 20-26-1105, 53-24-104, 61-20-226, 75-7-306, 76-13-209, 80-11-203, 80-11-207, 80-11-210, 80-11-310, 81-8-610, AND 81-8-805, MCA; AND PROVIDING AN EFFECTIVE DATE." for the following reasons.

My proposed amendment will allow agencies the authority to submit a budget amendment for the expenditure of other nonstate and nonfederal funds received in excess of those appropriated by the legislature. Without this amendment, additional private funds received could not be spent, e.g., business and industry grants and contributions to the Department of Commerce Business Assistance Division and Montana Promotion, wildlife and conservation grants to the Department of Fish, Wildlife and Parks. The sponsor concurs in this amendment. I urge your concurrence as well.

Governor's Amendment to SB 80

1. Page 2.

Following: line 8

Insert: "Other nonstate and nonfederal revenue deposited in the state special revenue account is not subject to the emergency budget amendment provisions of 17-7-403, MCA."

Sincerely,

STAN STEPHENS

Governor

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following Senate bill was introduced, read first time, and referred to committee:

SB 465, introduced by Pipinich, Norman, Lynch, Van Valkenburg, Vaughn, Walker, Beck, Harrington, Halligan, Raney, Moore, Weeding, Williams, Jergeson, Davis, Brooke, O'Keefe, Darko, Blotkamp, Hansen, Connelly, Kilpatrick, Menahan, Nisbet (by request of the Department of Health and Environmental Sciences), referred to Committee on Natural Resources

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Ream in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 18 - Representative Thomas moved SB 18 be concurred in. Motion carried as follows:

Ayes: Aafedt, Bachini, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cody, Compton, Daily, DeBruycker, DeMars, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Knapp, Koehnke, Lee, Marks, Mercer, L. Nelson, R. Nelson, T. Nelson, O'Connell, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Rehberg, Rice, Roth, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Steppler, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Wyatt, Zook.

Total 65

Noes: Addy, Bardanoue, Brooke, Cobb, Cocchiarella, Cohen, Connelly, Darko, Davis, Driscoll, Elliott, Gervais, Good, Hansen, Harper, Harrington, Kadas, Kilpatrick, Kimberley, McCormick, McDonough, Menahan, Nisbet, O'Keefe, Peck, Raney, Ream, Russell, Schye, Stang, Stickney, Westlake, Whalen, Mr. Speaker.

Total 34

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

HB 766 - Representative Good moved HB 766 be placed below SJR 13 on the second reading board. Motion carried.

SB 91 - Representative Campbell moved SB 91 be concurred in. Motion carried as follows:

Ayes: Aafedt, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Connelly, Daily, DeBruycker, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Harper, Hayne, Hoffman, Kasten, Keller, McCormick, McDonough, Mercer, Moore, R. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Phillips, Ream, Roth, Simpkins, Smith, Spring, Squires, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook.

Total 53

Noes: Addy, Bachini, Bardanouve, Bradley, Cody, Compton, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Gilbert, Hannah, Hanson, Harrington, Iverson, Johnson, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, Menahan, L. Nelson, T. Nelson, O'Keefe, Peck, Peterson, Quilici, Ramirez, Raney, Rehberg, Rice, Russell, Schye, Simon, Spaeth, Stang, Stepler, Stickney, Swysgood, Thoft, Mr. Speaker.

Total 44

Paired: Moore, Aye; Rehberg, No.

Excused: None.

Total 0

Absent or not voting: Kadas, Lee, Strizich.

Total 3

SB 95 - Representative Spaeth moved SB 95 be concurred in. Motion carried as follows:

Ayes: Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Eudaily, Gervais, Giacometto, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Harper, Harrington, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Marks, McCormick, McDonough, Menahan, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Whalen, Wyatt, Mr. Speaker.

Total 75

Noes: Aafedt, Bardanouve, DeBruycker, Elliott, Ellison, Gilbert, Good, Guthrie, Hanson, Hayne, Hoffman, Kasten, Koehnke, Lee, Mercer, R. Nelson, Owens, Peterson, Ramirez, Smith, Spring, Stepler, Westlake, Zook.

Total 24

Excused: None.

Total 0

Absent or not voting: Keller.

Total 1

SB 182 - Representative Simon moved SB 182 be concurred in. Motion failed as follows:

Ayes: Addy, Blotkamp, Bradley, Brooke, J. Brown, Cohen, Connelly, Darko, Davis, DeMars, Elliott, Gervais, Good, Grinde, Hansen, Harper,

Harrington, Iverson, Kadas, Kilpatrick, Kimberley, McDonough, Moore, Nisbet, O'Keefe, Peck, Raney, Ream, Russell, Schye, Simon, Spaeth, Squires, Stepler, Stickney, Strizich, Thomas, Whalen, Wyatt, Mr. Speaker.
Total 40

Noes: Aafedt, Bachini, Boharski, D. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Daily, DeBruycker, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Guthrie, Hannah, Hanson, Hayne, Hoffman, Johnson, Kasten, Keller, Knapp, Koehnke, Lee, Marks, McCormick, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Rehberg, Rice, Roth, Simpkins, Smith, Spring, Stang, Swift, Swysgood, Thoft, Wallin, Westlake, Zook.

Total 57

Paired: Moore, Aye; Quilici, No.

Excused: None.

Total 0

Absent or not voting: Bardanouve, Compton, O'Connell.

Total 3

SB 261 - Representative Harper moved SB 261, third reading copy, be amended as follows:

1. Standing Committee Report, House Natural Resources Committee on Senate Bill 261, March 16, 1989.

Strike: amendment 1 in its entirety

2. Page 2, line 15.

Following: "subdivision."

Insert: "Any restrictions or requirements on the original platted lot or original unplatted parcel continue to apply to those areas."

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Giacometto, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 22

Noes: Clark, Gilbert.

Total 2

Excused: Moore.

Total 1

Absent or not voting: Bardanouve, Cobb, Gervais, O'Connell, Strizich.

Total 5

Representative Ramirez moved SB 261, as amended, be concurred in.
Motion carried as follows:

March 28, 1989

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cody, Cohen, Compton, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Connelly.

Total 1

Excused: Moore.

Total 1

Absent or not voting: Bardanouve, Cobb, Cocchiarella, O'Connell, Russell.

Total 5

Representative Whalen excused at this time.

SB 313 - Representative Spaeth moved SB 313, third reading copy, be amended. Amendment failed. (41-55)

Representative Spaeth moved SB 313, third reading copy, be amended. Amendment failed. (39-55)

Representative Spaeth moved SB 313, be not concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cohen, Compton, Connelly, DeBruycker, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Good, Gould, Grinde, Guthrie, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, R. Nelson, T. Nelson, O'Connell, O'Keefe, Owens, Peck, Peterson, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Schye, Smith, Spaeth, Squires, Swift, Swysgood, Thoft, Thomas, Westlake, Wyatt, Zook, Mr. Speaker.

Total 66

Noes: Boharski, Brooke, Cocchiarella, Cody, Daily, Darko, Davis, DeMars, Driscoll, Gervais, Glaser, Grady, Hannah, Hansen, Kilpatrick, Menahan, Mercer, L. Nelson, Nisbet, Pavlovich, Quilici, Roth, Simon, Simpkins, Spring, Stang, Steppler, Stickney, Strizich, Wallin.

Total 30

Excused: Moore, Whalen.

Total 2

Absent or not voting: Patterson, Phillips.

Total 2

SB 342 - Representative Harper moved SB 342, third reading copy, be amended as follows:

1. Page 4, line 7.

Following: "display"

Insert: "obscene"

Following: "material"

Strike: "that is harmful"

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Moore, Whalen.

Total 2

Absent or not voting: Bardanouve, Gilbert, Grady, Hannah, Patterson, Stepler.

Total 6

Representative Whalen present at this time.

Representative Harper moved SB 342, as amended, be concurred in.
Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Bardanouve.

Total 1

SB 388 - Representative Vincent moved SB 388, third reading copy, be amended as follows:

March 28, 1989

1. Page 9, line 13.

Following: "SUPERVISION,"

Insert: "be unemployed,"

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Moore.

Total 1

Absent or not voting: Bardanouve, Daily, Kadas, Menahan, Pavlovich, Phillips, Zook.

Total 7

Representative Vincent moved SB 388, as amended, be concurred in.

Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Moore.

Total 1

Absent or not voting: Phillips.

Total 1

SB 389 - Representative Patterson moved SB 389 be concurred in.

Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly,

Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Brooke, Campbell, Clark, Raney.

Total 4

Excused: Moore.

Total 1

Absent or not voting: Hansen, Kadas, Phillips.

Total 3

SB 399 - Representative Mercer moved SB 399 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: Stang.

Total 1

Excused: Moore.

Total 1

Absent or not voting: Menahan.

Total 1

SB 426 - Representative Lee moved SB 426 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, O'Connell, O'Keefe, Patterson, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Spring, Squires, Steppler,

Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.

Total 81

Noes: D. Brown, Campbell, Connelly, Daily, DeBruycker, Grinde, Kasten, Kilpatrick, Nisbet, Owens, Pavlovich, Phillips, Smith, Stang, Stickney, Swysgood, Wyatt.

Total 17

Excused: Moore.

Total 1

Absent or not voting: Grady.

Total 1

SB 428 - Representative Thomas moved SB 428, third reading copy, be amended as follows:

1. Page 49, line 19.

Strike: "2-15-131"

Insert: "2-15-132"

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Moore.

Total 1

Absent or not voting: D. Brown, Good, Grady, Menahan.

Total 4

Representative Stang assumed the Chair at this time.

Representative Thomas moved SB 428, as amended, be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Compton, Darko, Davis, Driscoll, Ellison, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hanson, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, McCormick, McDonough, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Pavlovich, Peterson, Phillips, Quilici, Rice, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 67

Noes: Bardanouve, Blotkamp, Brooke, Campbell, Cohen, Connelly, Daily, DeBruycker, DeMars, Elliott, Eudaily, Hannah, Hansen, Harper, Kadas, Koehnke, Menahan, O'Connell, Patterson, Peck, Ramirez, Raney, Ream, Rehberg, Roth, Spaeth, Stang, Stepler, Whalen.

Total 29

Excused: Moore.

Total 1

Absent or not voting: Grady, Harrington, Marks.

Total 3

Representative Ream resumed the Chair at this time.

SB 429 - Representative Simpkins moved SB 429 be concurred in.
Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Peck.

Total 1

Excused: Moore.

Total 1

Absent or not voting: Peterson, Rice.

Total 2

SB 432 - Representative Patterson moved SB 432 be concurred in.
Motion carried as follows:

Ayes: Aafedt, Addy, Bardanouve, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Zook, Mr. Speaker.

Total 88

Noes: Bachini, Blotkamp, Cobb, Gervais, McCormick, Peck, Stang, Stepler, Whalen, Wyatt.

Total 10

Excused: Moore.

Total 1

Absent or not voting: Roth.

Total 1

SB 433 - Representative Gould moved SB 433 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Moore.

Total 1

Absent or not voting: O'Connell.

Total 1

HB 676 - Representative Raney moved HB 676 be placed below SJR 13 on the second reading board. Motion carried.

SB 442 - Representative Daily moved SB 442 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Compton, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Guthrie, Hannah, Hanson, Harper, Harrington, Hayne, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Schye, Simon, Smith, Stang, Stepler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 78

Noes: Campbell, Cobb, Cohen, Connelly, DeBruycker, Good, Grinde, Hansen, Kasten, Lee, Owens, Peterson, Raney, Russell, Simpkins, Spaeth, Spring, Squires, Swysgood, Thoft.

Total 20

Excused: Moore.

Total 1

Absent or not voting: Hoffman.

Total 1

SB 444 - Representative Glaser moved SB 444 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Moore.

Total 1

Absent or not voting: Bardanoue.

Total 1

SB 449 - Representative Clark moved SB 449 be concurred in. Motion carried as follows:

Ayes: Addy, Bachini, Bardanoue, Bradley, Brooke, Clark, Cobb, Cocchiarella, Cody, Compton, Daily, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Hoffman, Johnson, Kadas, Keller, Kimberley, Knapp, Koehnke, Lee, Marks, McDonough, Mercer, L. Nelson, T. Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Quilici, Ramirez, Ream, Rehberg, Roth, Russell, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Wallin, Westlake, Whalen, Zook, Mr. Speaker.

Total 61

Noes: Aafedt, Blotkamp, Boharski, D. Brown, Campbell, Cohen, Connelly, Darko, DeBruycker, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hayne, Iverson, Kasten, Kilpatrick, McCormick, Menahan, R. Nelson, O'Keefe, Owens, Peterson, Phillips, Raney, Rice, Schye, Smith, Stepler, Swift, Swysgood, Thoft, Thomas, Wyatt.

Total 37

Excused: Moore.

Total 1

Absent or not voting: J. Brown.

Total 1

SB 450 - Representative Giacometto moved SB 450, third reading copy, be amended.

Representative Swysgood made a substitute motion SB 450 be placed below SJR 13 on the second reading board. Motion carried.

SB 452 - Representative Mercer moved SB 452 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Ellison,

Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Elliott, Grinde.

Total 2

Excused: Moore.

Total 1

Absent or not voting: Bardanouve, Clark, Patterson, Swift.

Total 4

Representative D. Brown excused at this time.

SJR 13 - Representative Harper moved SJR 13 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connely, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Cohen, Ellison.

Total 2

Excused: D. Brown, Moore.

Total 2

Absent or not voting: Bardanouve, Good, Marks.

Total 3

SB 450 - Representative Giacometto moved SB 450 be placed below HB 676 on the second reading board. Motion carried.

HB 676 - Representative Raney moved HB 676 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, Campbell, Cocchiarella, Cody, Cohen, Compton, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney,

Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 83

Noes: Clark, Cobb, Grinde, Guthrie, Hayne, Keller, Marks, Swysgood, Thoft.
Total 9

Excused: D. Brown, Moore.
Total 2

Absent or not voting: Bardanouve, J. Brown, Connelly, Good, Mercer, Spring.
Total 6

SB 450 - Representative Giacometto moved SB 450, third reading copy, be amended as follows:

1. Page 3, line 21.

Following: "SUPPLY"

Insert: "BY ANOTHER APPROPRIATOR FROM THE SOURCE OF SUPPLY"

2. Page 11, lines 3 and 4.

Following: "BE" on line 3

Strike: "TRANSFERRED" through "PURPOSE, OR" on line 4

Amendment passed as follows:

Ayes: Aafedt, Bachini, Blotkamp, Boharski, Bradley, J. Brown, Campbell, Clark, Cobb, Cody, Compton, Daily, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Hayne, Hoffman, Iverson, Johnson, Kilpatrick, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Phillips, Quilici, Ramirez, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Zook.
Total 72

Noes: Addy, Brooke, D. Brown, Cocchiarella, Cohen, Connelly, Darko, Driscoll, Grady, Harper, Harrington, Kasten, Keller, Kimberley, Knapp, Menahan, Peterson, Raney, Ream, Squires, Whalen, Wyatt, Mr. Speaker.
Total 23

Paired: Giacometto, Aye; D. Brown, No.

Excused: Moore.
Total 1

Absent or not voting: Bardanouve, Davis, Good, Kadas.
Total 4

Representative Giacometto moved SB 450, as amended, be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cody, Cohen, Compton, Daily, Darko, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Iverson, Johnson, Keller, Kilpatrick, Kimberley, Koehnke, Lee, Marks, McDonough,

Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Zook, Mr. Speaker.

Total 80

Noes: Cobb, Cocchiarella, Connelly, DeBruycker, Hansen, Harper, Harrington, Kadas, Kasten, Knapp, McCormick, Peterson, Whalen, Wyatt.

Total 14

Excused: D. Brown, Moore.

Total 2

Absent or not voting: Bardanouve, Davis, Good, Patterson.

Total 4

Representative Harper moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Ream moved the adoption of the committee report. Report adopted. (83-10)

MOTIONS

Representative Bradley moved SB 128 be taken from third reading on the 70th legislative day and the rules be suspended to allow consideration of SB 128 on second and third readings the next legislative day. Motion carried.

Representative Pavlovich moved the House reconsider its action on SB 313 taken on second reading this legislative day. Motion failed. (34-60)

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

3/28/89

Correctly engrossed: SB 99, SB 100, SB 101, SB 111, SB 128, SB 207.

Correctly enrolled: HB 313, HB 378, HB 383, HB 399, HB 477, HB 504, HB 534, HB 568, HB 649, HB 650, HB 661, HB 711, HB 723, HJR 28, HJR 29.

Examined by the sponsors and found to be correct:

HB 313 - Grady
HB 378 - Squires
HB 383 - Ellison
HB 399 - O'Keefe
HB 477 - Grady
HB 504 - Daily
HB 534 - Swysgood
HB 568 - Mercer
HB 649 - Koehnke
HB 650 - Swysgood
HB 661 - Rice
HB 711 - Cobb
HB 723 - Cobb
HJR 28 - Stickney
HJR 29 - Raney

TAXATION (Harrington, Chairman):

3/28/89

HB 475, introduced bill, be amended as follows:

1. Title, lines 6 through 15.
Strike: lines 6 through 15 in their entirety

2. Title, lines 16 through 20.

Following: "SECTIONS" on line 16

Strike: remainder of line 16 through "7-34-2131," on line 20

3. Title, line 21.

Following: "15-6-201"

Strike: "15-6-207, 15-8-111, 15-8-201,"

Following: "15-8-205,"

Strike: "15-8-405,"

4. Title, line 22.

Following: line 21

Strike: "15-8-706,"

Following: "15-10-402,"

Strike: "15-10-412,"

5. Title, line 23.

Strike: "15-24-301, 15-24-302, 15-24-921, 15-24-925,"

Following: "15-24-1102,"

Insert: "AND"

6. Title, page 1, line 24 through page 2, line 1.

Following: "15-24-1103,"

Strike: remainder of line 24 through "85-7-2001," on line 1

7. Title, page 2, lines 3 through 5.

Following: line 2

Insert: "AND"

Following: "15-6-146,"

Strike: remainder of line 3 through "81-7-118," on line 5

8. Title, page 2, line 6.

Following: "AND"

Insert: "AN"

9. Title, page 2, line 7.

Strike: "DATES"

Insert: "DATE"

10. Page 2, line 10 through page 19, line 20.

Strike: sections 1 through 21 in their entirety

Renumber: subsequent sections

11. Page 39, lines 22 through 25.

Strike: subsection (r) in its entirety

Renumber: subsequent subsections

12. Page 41, line 5 through page 46, line 4.

Strike: sections 29 through 31 in their entirety

Renumber: subsequent sections

13. Page 46, line 11 through page 47, line 10.

Strike: sections 33 and 34 in their entirety

Renumber: subsequent sections

14. Page 48, line 9 through page 53, line 9.

Strike: section 36 in its entirety

15. Page 55, line 2 through page 60, line 10.

Strike: sections 39 through 44 in their entirety

Renumber: subsequent sections

16. Page 61, line 13 through page 78, line 3.

Strike: sections 47 through 60 in their entirety
Renumber: subsequent sections

17. Page 78, lines 5 through 8.

Following: "15-6-144,"

Insert: "and"

Following: "15-6-146,"

Strike: remainder of line 5 through "81-7-118," on line 8

18. Page 78, lines 9 through 13.

Strike: section 62 in its entirety

Renumber: subsequent sections

19. Page 79, lines 15 and 16.

Strike: "dates"

Insert: "date"

Following: "."

Strike: remainder of line 15 through "this" on line 16

Insert: "[This"

20. Page 79, lines 18 through 20.

Strike: subsection (2) in its entirety

And, as amended, do pass. Report adopted.

REPORTS OF SELECT COMMITTEES

Conference Committee
on Senate Bill 204
Report No. 1, March 28, 1989

Mr. President and Mr. Speaker:

We, your Conference Committee on Senate Bill 204 met and considered:

The House Committee on Judiciary amendments to SB 204 (third reading copy — blue) dated March 1, 1989.

We recommend that:

1. House amendments Nos. 1 and 3 be rejected.
2. House amendment No. 2 be accepted.

And that SB 204 (reference copy — salmon) be amended as follows:

1. Page 11, line 11.

Following: "NURSE,"

Insert: "nurse,"

2. Page 18, line 10 through page 19, line 3.

Strike: subsection (1) in its entirety

Renumber: subsequent subsections

And this Conference Committee Report be adopted.

For the Senate:

Lynch, Chairman
Norman
Harp

For the House:

Stickney
D. Brown
Eudaily

Report adopted.

HOUSE JOURNAL
REGULAR SESSION

Free Conference Committee
on Senate Bill 153
Report No. 1, March 28, 1989

Mr. President and Mr. Speaker:

We, your Free Conference Committee on Senate Bill 153 considered and recommended that SB 153 (reference copy — salmon) be amended as follows:

1. Title, line 8.

Following: "CONTRACTOR"

Insert: "IN THE HUNTING OR TAKING OF GAME BIRDS OR FISH"

2. Page 2, line 23.

Following: "EQUIPMENT"

Insert: "that he owns"

3. Page 2, line 24.

Strike: "animals"

Insert: "birds"

Following: "fish."

Insert: "A guide who provides independent contractor services to an outfitter may not provide facilities, equipment, or services for over-night use."

4. Page 6, lines 5 and 6.

Following: "applicant"

Strike: remainder of line 5 through "involved" on line 6

And this Free Conference Committee Report be adopted.

For the Senate:

Rasmussen, Chairman

Mazurek

Thayer

For the House:

O'Keefe

Whalen

Lee

Report adopted.

MESSAGES FROM THE GOVERNOR

John Vincent

Speaker of the House

Montana House of Representatives

State Capitol

Helena, Montana 59620

March 28, 1989

Dear Representative Vincent:

Please be informed that I have signed House Bills 69 and 446 on March 27, 1989.

Sincerely,

STAN STEPHENS

Governor

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved the House adjourn until 9:00 a.m.,
Wednesday, March 29, 1989.

Motion carried.

House adjourned at 6:25 p.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

SEVENTIETH LEGISLATIVE DAY

Helena, Montana
March 29, 1989

House Chambers
State Capitol

House convened at 9:00 a.m., Speaker Pro Tempore Addy in the Chair. Invocation by Representative Cocchiarella. Pledge of Allegiance to the Flag.

Roll call. All members present except Bradley, Moore, and Strizich, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 3/29/89

Correctly printed: HB 125, HB 475, HB 764.

Correctly engrossed: HB 676, SB 91, SB 95, SB 261, SB 342, SB 388, SB 389, SB 428, SB 429, SB 432, SB 449, SB 450, SJR 13.

Delivered to the Governor for his approval at 9:00 a.m., 3/29/89: HB 84, HB 113, HB 207, HB 289, HB 340, HB 355, HB 393, HB 396, HB 411, HB 465, HB 466, HB 478, HB 516, HB 524, HB 557, HB 559, HB 569, HB 578, HB 591, HB 594, HB 605, HB 610, HB 642, HB 677, HB 678, HB 685.

ADVERSE COMMITTEE REPORT

HB 790 - Representative Kadas moved the consideration of adverse committee report on HB 790 be passed for the day. Motion failed.

Representative Giacometto moved the 3/28/89 adverse committee report on HB 790 be adopted.

Representative Cohen made a substitute motion the adverse committee report be not adopted. Motion carried.

Representative Hannah moved the previous question. Motion carried.

Thereupon, the motion that the adverse committee report on HB 790 be not adopted, failed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Cobb, Cocchiarella, Cody, Cohen, Connelly, DeMars, Driscoll, Gervais, Harper, Harrington, Kadas, Kilpatrick, Kimberley, McCormick, McDonough, L. Nelson, Nisbet, O'Keefe, Peck, Raney, Ream, Rice, Russell, Squires, Stepler, Stickney, Strizich, Whalen, Wyatt, Mr. Speaker.

Total 34

Noes: Aafedt, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Compton, Daily, Darko, Davis, DeBruycker, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Knapp, Koehnke, Lee, Marks, Mercer, R. Nelson, T. Nelson, O'Connell, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Rehberg, Roth, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Stang, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Zook.

Total 63

Excused: Bradley, Moore.

Total 2

Absent or not voting: Menahan.

Total 1

Representative Swift moved the previous question. Motion carried.

Thereupon, the adverse committee report was adopted as follows:

Ayes: Aafedt, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Compton, Darko, Davis, DeBruycker, Driscoll, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Knapp, Koehnke, Lee, Marks, McCormick, Mercer, R. Nelson, T. Nelson, O'Connell, Owens, Patterson, Peterson, Phillips, Quilici, Ramirez, Rehberg, Roth, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Stang, Stepler, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Zook.

Total 64

Noes: Addy, Bachini, Bardanouve, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, DeMars, Gervais, Hansen, Harper, Harrington, Kadas, Kilpatrick, Kimberley, McDonough, Menahan, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Raney, Ream, Rice, Russell, Squires, Stickney, Strizich, Whalen, Wyatt, Mr. Speaker.

Total 34

Excused: Bradley, Moore.

Total 2

Absent or not voting: None.

Total 0

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House: 3/28/89

HB 656, introduced by Wallin

HB 667, introduced by Good

HB 668, introduced by Simon

HB 704, introduced by Cohen

HB 750, introduced by Quilici

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 3/28/89

HB 626, introduced by Whalen

HB 701, introduced by Swysgood

House bills not concurred in and returned to the House: 3/28/89

HB 220, introduced by Vincent

HB 710, introduced by Driscoll

Representative Harper moved the House recess until 10:00 a.m.

Motion carried.

House recessed at 9:35 a.m.

House reconvened at 10:30 a.m. Speaker Pro Tempore Addy in the Chair.

REPORTS OF STANDING COMMITTEES

Representatives Cobb, Giacometto, Hannah, Hanson, and Wallin excused at this time.

BILLS (Menahan, Chairman): 3/29/89

Signed by the Speaker at 4:00 p.m., 3/28/89: HB 313, HB 378, HB 383, HB 399, HB 477, HB 504, HB 534, HB 568, HB 649, HB 650, HB 661, HB 711, HB 723, HJR 28, HJR 29.

APPROPRIATIONS (Bardanoue, Chairman):

3/28/89

HB 699, second reading copy, be amended as follows:

1. Title, lines 20 and 21.

Strike: "TEMPORARY" on line 20 through "REPAID" on line 21

Insert: "PREMIUM TAX ON PROPERTY AND CASUALTY CARRIERS"

2. Page 12, lines 11 through 15.

Strike: "A LOAN" on line 11 through end of line 15

Insert: "levied and collected on all property and casualty carriers authorized to write and engaged in writing property and casualty insurance under 33-1-206 or 33-1-210 in this state during 1987 and engaged in writing property and casualty insurance as of December 31, 1988, a one-time refundable surcharge in the form of a 1.17% premium tax surcharge based on 1987 carrier annual reports made under 33-2-705. A total of \$100,000 of the surcharge forms the capitalization of the secondary pool of funds, and the balance of the surcharge forms the capitalization of the primary pool of funds. If the surcharge is refunded, the refund must be made in the manner provided in [section 10]."

3. Page 15, line 24.

Following: "paid."

Insert: "The one-time refundable surcharge for property and casualty insurance carriers provided for in this section must be collected by the commissioner on March 1, 1989, under 33-2-705 without deferral or installment or within 30 days of [the effective date of this act], whichever occurs later. The surcharge must be remitted to the department by the commissioner within 14 days of receipt, and if the surcharge is not timely paid as provided in this section, the certificate of authority of the insurer must be suspended by the commissioner under 33-2-119 until the surcharge is paid."

4. Page 18, lines 3 through 5.

Strike: "THE GENERAL" on line 3 through "CREDIT" on line 5

Insert: "the property and casualty insurance carriers who have paid a surcharge into the primary pool of funds, pro rata and proportionate to their original contributions"

5. Page 18, line 5.

Strike: "AMOUNTS"

Insert: "contributions"

6. Page 48, lines 10 and 11.

Following: "dissolution"

Strike: "DISSOLUTION of fund — transfer to Montana insurance guaranty association."

Insert: "Severability."

7. Page 48, line 23 through page 49, line 18.

Strike: "(1)" on page 48, line 23 through "33-10-105" on page 49, line 18

Insert: "NEW SECTION. Section 29. Severability. (1) If a part of [this act] is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications."

(2) The administrator may petition the district court of the first judicial district to terminate [this act] if a part or one or more applications of a part are invalid and:

(a) the primary pool of funds cannot be maintained on an actuarially sound basis for more than 3 years from the time such soundness is required by [this act]; or

(b) the primary pool of funds will be exhausted by the payment of all fixed and known obligations.

(3) All claimants, participating physicians, and hospitals, as defined in [this act], have standing to appear in any court proceeding instituted by the administrator under subsection (2).

(4) If the court finds that the conditions described in either subsection (2)(a) or (2)(b), or both, have occurred, [this act] terminates. Upon the entry of an order of termination the court shall direct the administrator to take possession of the assets and to administer them under the general supervision of the court.

(5) Upon an order of termination, no person may submit a claim under [this act]. The administrator may not make payments to claimants until a distribution plan is approved by the court or upon petition of an individual claimant on the basis of hardship and a showing that in all likelihood they would share in any distribution.

(6) Within 30 days of the termination order the administrator shall submit to the court a plan of distribution of the assets. The plan of distribution must give priority to claimants and distribute the funds in an equitable manner.

(7) All claimants who have not received a final award determination by the panel on the date [this act] is terminated by court order are not bound by the provisions of [this act]"

And, as amended, do pass. Report adopted.

TAXATION (Harrington, Chairman):

3/29/89

HB 791, do pass. Report adopted.

SB 139, be concurred in. Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 18 concurred in as follows:

Ayes: Aafedt, Bachini, Blotkamp, Boharski, D. Brown, J. Brown, Campbell, Clark, Cody, Compton, Connelly, Daily, Darko, DeBruycker, DeMars, Driscoll, Ellison, Eudaily, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hanson, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Knapp, Koehnke, Lee, Marks, McCormick, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, O'Connell, Owens, Patterson, Pavlovich, Phillips, Quilici, Ramirez, Rehberg, Rice, Roth, Simon, Simpkins, Smith, Spaeth, Spring, Steppler, Swift, Swysgood, Thoft, Thomas, Westlake, Wyatt, Zook, Mr. Speaker.

Total 65

Noes: Addy, Bardanouve, Brooke, Cocchiarella, Cohen, Davis, Good, Hansen, Harper, Harrington, Kadas, Kilpatrick, Kimberley, McDonough,

Nisbet, O'Keefe, Peck, Peterson, Raney, Ream, Russell, Schye, Squires, Stang, Stickney, Whalen.
Total 26

Excused: Bradley, Cobb, Giacometto, Hannah, Moore, Wallin.
Total 6

Absent or not voting: Elliott, Gervais, Strizich.
Total 3

SB 67 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: None.
Total 0

Excused: Bradley, Cobb, Giacometto, Hannah, Moore, Wallin.
Total 6

Absent or not voting: Harrington.
Total 1

SB 70 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: DeBruycker.
Total 1

Excused: Bradley, Cobb, Giacometto, Hannah, Moore, Wallin.
Total 6

Absent or not voting: None.
Total 0

SB 87 concurred in as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Westlake, Wyatt, Zook, Mr. Speaker.

Total 84

Noes: Aafedt, Boharski, Hansen, Owens, Peck, Steppler, Whalen.

Total 7

Excused: Bradley, Cobb, Giacometto, Hannah, Moore, Wallin.

Total 6

Absent or not voting: DeBruycker, Kasten, Squires.

Total 3

Representative Wallin present at this time.

SB 91 concurred in as follows:

Ayes: Aafedt, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cohen, Connelly, Daily, Eudaily, Gervais, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Harper, Harrington, Hayne, Hoffman, Kadas, Kasten, Keller, McCormick, McDonough, Mercer, Moore, R. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Phillips, Ream, Roth, Smith, Spring, Squires, Stickney, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook.

Total 52

Noes: Addy, Bachini, Bardanouve, Cody, Compton, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gilbert, Hanson, Iverson, Johnson, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, Menahan, L. Nelson, T. Nelson, O'Keefe, Peck, Peterson, Quilici, Ramirez, Raney, Rehberg, Rice, Russell, Schye, Simon, Simpkins, Spaeth, Stang, Steppler, Swysgood, Thoft, Mr. Speaker.

Total 42

Paired: Moore, Aye; Driscoll, No.

Excused: Bradley, Cobb, Giacometto, Hannah.

Total 4

Absent or not voting: Lee, Strizich.

Total 2

Representative Owens excused at this time.

SB 95 concurred in as follows:

Ayes: Addy, Bachini, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Hansen, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Marks, McCormick, McDonough, Menahan, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, Rice, Roth, Russell, Schye,

Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Whalen, Wyatt, Mr. Speaker.
Total 72

Noes: Aafedt, Bardanouve, Cohen, DeBruycker, Elliott, Ellison, Guthrie, Hanson, Hayne, Kasten, Keller, Koehnke, Lee, Mercer, R. Nelson, Owens, Peterson, Ramirez, Rehberg, Spring, Steppler, Westlake, Zook.
Total 23

Excused: Bradley, Cobb, Giacometto, Hannah, Moore.
Total 5

Absent or not voting: None.
Total 0

SB 99 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.
Total 88

Noes: Harrington, Nisbet, Whalen.
Total 3

Excused: Bradley, Cobb, Giacometto, Hannah, Moore.
Total 5

Absent or not voting: Elliott, Ellison, Guthrie, Russell.
Total 4

SB 100 concurred in as follows:

Ayes: Addy, Bachini, Bardanouve, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.
Total 85

Noes: Daily, Gervais, Harrington, McCormick, Nisbet, Pavlovich, Whalen.
Total 7

Excused: Bradley, Cobb, Giacometto, Hannah, Moore.
Total 5

Absent or not voting: Aafedt, Blotkamp, Smith.

Total 3

SB 101 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, Driscoll, Elliott, Eudaily, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 85

Noes: D. Brown, Gervais, Harrington, McCormick, Nisbet, O'Keefe, Whalen.

Total 7

Excused: Bradley, Cobb, Giacometto, Hannah, Moore.

Total 5

Absent or not voting: DeMars, Ellison, Phillips.

Total 3

SB 111 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: Campbell, Clark, Glaser, Lee, Rehberg, Swysgood, Thoft.

Total 7

Excused: Bradley, Cobb, Hannah, Moore.

Total 4

Absent or not voting: Cohen.

Total 1

Representatives Giacometto and Hannah present at this time.

SB 129 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley,

Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Bradley, Cobb, Moore.

Total 3

Absent or not voting: None.

Total 0

SB 130 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Bradley, Cobb, Moore.

Total 3

Absent or not voting: Giacometto, Simon.

Total 2

SB 134 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Bradley, Cobb, Moore.

Total 3

Absent or not voting: Zook.

Total 1

SB 160 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Campbell, Clark, DeBruycker, Guthrie.

Total 4

Excused: Bradley, Cobb, Moore.

Total 3

Absent or not voting: Ream.

Total 1

SB 166 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Gould, Grady, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 82

Noes: Campbell, Cobb, Cohen, Daily, Gervais, Glaser, Good, Grinde, Hannah, Koehnke, McCormick, Peck, Peterson, Russell, Smith, Whalen.

Total 16

Paired: Spaeth, Aye; Cobb, No.

Excused: Bradley, Moore.

Total 2

Absent or not voting: None.

Total 0

SB 167 concurred in as follows:

Ayes: Aafedt, Addy, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis,

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DeMars, Driscoll, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Gould, Grady, Grinde, Hansen, Hanson, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Spaeth, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Wyatt, Zook, Mr. Speaker.

Total 74

Noes: Bachini, Campbell, Clark, Cobb, Daily, Gervais, Glaser, Good, Guthrie, Hannah, Harper, Kadas, Koehnke, McCormick, Peck, Peterson, Russell, Smith, Spring, Stepler, Westlake, Whalen.

Total 22

Paired: Spaeth, Aye; Cobb, No.

Excused: Bradley, Moore.

Total 2

Absent or not voting: DeBruycker, Ream.

Total 2

SB 168 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Gervais, Whalen.

Total 2

Excused: Bradley, Cobb, Moore.

Total 3

Absent or not voting: Ellison, Westlake.

Total 2

SB 169 concurred in as follows:

Ayes: Aafedt, Addy, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Davis, DeMars, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Good, Gould, Grady, Grinde, Hansen, Hanson, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Wyatt, Zook, Mr. Speaker.

Total 75

Noes: Bachini, Campbell, Cobb, Daily, DeBruycker, Driscoll, Gervais, Glaser, Guthrie, Hannah, Harper, Koehnke, McCormick, O'Keefe, Peck, Peterson, Russell, Smith, Spring, Westlake, Whalen.

Total 21

Paired: Spaeth, Aye; Cobb, No.

Excused: Bradley, Moore.

Total 2

Absent or not voting: Darko, Raney.

Total 2

SB 178 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 91

Noes: Hanson, Kasten, Keller, Owens, Phillips, Zook.

Total 6

Excused: Bradley, Cobb, Moore.

Total 3

Absent or not voting: None.

Total 0

SB 207 concurred in as follows:

Ayes: Addy, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Gilbert, Glaser, Gould, Grady, Guthrie, Harrington, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McDonough, Menahan, Mercer, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Quilici, Ramirez, Raney, Ream, Rehberg, Russell, Schye, Simpkins, Smith, Spaeth, Squires, Stepler, Stickney, Strizich, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 66

Noes: Aafedt, Bachini, Campbell, Cody, Ellison, Giacometto, Good, Grinde, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Kasten, Marks, McCormick, L. Nelson, Owens, Peck, Peterson, Phillips, Rice, Roth, Simon, Spring, Stang, Swift, Swysgood, Thoft, Wallin.

Total 31

Excused: Bradley, Cobb, Moore.

Total 3

Absent or not voting: None.

Total 0

SB 209 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, McCormick, McDonough, Menahan, Mercer, R. Nelson, T. Nelson, Nisbet, O'Connell, Pavlovich, Peck, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Squires, Stang, Stickney, Strizich, Wallin, Whalen, Wyatt, Mr. Speaker.
Total 70

Noes: Bardanouve, Campbell, Compton, DeBruycker, Elliott, Ellison, Gilbert, Grinde, Hanson, Kasten, Koehnke, Lee, Marks, L. Nelson, O'Keefe, Owens, Patterson, Peterson, Smith, Spring, Stepler, Swift, Swysgood, Thoft, Thomas, Westlake, Zook.
Total 27

Excused: Bradley, Cobb, Moore.
Total 3

Absent or not voting: None.
Total 0

SB 261 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: Bradley, Cobb, Moore.
Total 3

Absent or not voting: None.
Total 0

SB 272 concurred in as follows:

Ayes: Aafedt, Addy, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips,

Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: Bachini, Campbell, Guthrie, Koehnke, McCormick, Peck, Spring, Wallin.

Total 8

Excused: Bradley, Cobb, Moore.

Total 3

Absent or not voting: None.

Total 0

SB 285 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Bradley, Cobb, Moore.

Total 3

Absent or not voting: None.

Total 0

SB 296 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Bradley, Cobb, Moore.
Total 3

Absent or not voting: None.
Total 0

SB 311 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: Bradley, Cobb, Moore.
Total 3

Absent or not voting: None.
Total 0

SB 315 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: Clark, Hoffman.
Total 2

Excused: Bradley, Cobb, Moore.
Total 3

Absent or not voting: Marks, Smith.
Total 2

SB 342 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott,

Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Bradley, Cobb, Moore.

Total 3

Absent or not voting: None.

Total 0

SB 348 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanoue, Blotkamp, Boharski, D. Brown, J. Brown, Campbell, Clark, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: Brooke, Cocchiarella, Driscoll, Kimberley, Nisbet, O'Keefe, Squires, Whalen.

Total 8

Excused: Bradley, Cobb, Moore.

Total 3

Absent or not voting: None.

Total 0

SB 353 concurred in as follows:

Ayes: Aafedt, Bachini, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Cody, Compton, Daily, Darko, Davis, DeBruycker, DeMars, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hanson, Harper, Harrington, Hayne, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Zook, Mr. Speaker.

Total 78

Noes: Addy, Bardanoue, Clark, Cobb, Cocchiarella, Cohen, Connelly, Driscoll, Elliott, Gervais, Hansen, Hoffman, McCormick, Raney, Russell, Smith, Stepler, Whalen, Wyatt.

Total 19

Paired: Harper, Aye; Cobb, No.

Excused: Bradley, Moore.

Total 2

Absent or not voting: Grinde.

Total 1

SB 363 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: O'Keefe, Peck, Stang, Whalen.

Total 4

Excused: Bradley, Cobb, Moore.

Total 3

Absent or not voting: None.

Total 0

SB 372 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Bradley, Cobb, Moore.

Total 3

Absent or not voting: None.

Total 0

SB 388 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Bradley, Cobb, Moore.

Total 3

Absent or not voting: None.

Total 0

SB 389 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, D. Brown, J. Brown, Campbell, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Brooke, Clark, O'Keefe, Raney.

Total 4

Excused: Bradley, Cobb, Moore.

Total 3

Absent or not voting: Keller.

Total 1

SB 390 concurred in as follows:

Ayes: Aafedt, Blotkamp, Boharski, Brooke, J. Brown, Clark, Cohen, Compton, Daily, DeBruycker, Eudaily, Giacometto, Gilbert, Good, Gould, Grady, Grinde, Hannah, Hansen, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Kilpatrick, Knapp, Lee, Marks, Menahan, Mercer, R. Nelson, T. Nelson, O'Connell, O'Keefe, Owens, Patterson, Peterson, Phillips, Quilici, Ramirez, Rehberg, Rice, Roth, Simon, Simpkins, Smith, Spaeth, Spring, Stickney, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Zook, Mr. Speaker.

Total 58

Noes: Addy, Bachini, Bardanouve, D. Brown, Campbell, Cocchiarella, Cody, Connelly, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Gervais, Glaser, Guthrie, Hansen, Harper, Kadas, Keller, Kimberley, Koehnke, McCormick, McDonough, L. Nelson, Nisbet, Pavlovich, Peck, Raney, Ream, Russell, Schye, Squires, Stang, Stepler, Strizich, Whalen, Wyatt.
Total 39

Excused: Bradley, Cobb, Moore.
Total 3

Absent or not voting: None.
Total 0

SB 398 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Stepler.
Total 1

Excused: Bradley, Cobb, Moore.
Total 3

Absent or not voting: None.
Total 0

SB 399 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: Bradley, Cobb, Moore.
Total 3

Absent or not voting: None.

Total 0

SB 426 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Daily, Darko, Davis, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, O'Connell, O'Keefe, Patterson, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Spaeth, Spring, Squires, Stepler, Strizich, Swift, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 78

Noes: D. Brown, Campbell, Connelly, DeBruycker, Driscoll, Grady, Grinde, Kasten, Nisbet, Owens, Pavlovich, Phillips, Simpkins, Smith, Stang, Stickney, Swysgood, Thoft, Whalen.

Total 19

Excused: Bradley, Cobb, Moore.

Total 3

Absent or not voting: None.

Total 0

SB 428 concurred in as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rice, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 85

Noes: Connelly, DeBruycker, Giacometto, Hannah, Hansen, Koehnke, McCormick, Ramirez, Rehberg, Roth, Stepler.

Total 11

Excused: Bradley, Cobb, Moore.

Total 3

Absent or not voting: Addy.

Total 1

SB 429 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson,

Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: McCormick.

Total 1

Excused: Bradley, Cobb, Moore.

Total 3

Absent or not voting: Ellison, Roth.

Total 2

SB 432 concurred in as follows:

Ayes: Aafedt, Addy, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stickney, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: Bachini, Elliott, Gervais, Koehnke, Pavlovich, Peck, Stang, Steppler, Strizich, Whalen.

Total 10

Excused: Bradley, Cobb, Moore.

Total 3

Absent or not voting: None.

Total 0

SB 433 concurred in as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Bradley, Cobb, Moore.

Total 3

Absent or not voting: Addy, Pavlovich.

Total 2

SB 442 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Compton, Daily, Darko, Davis, DeMars, Driscoll, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Guthrie, Hannah, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Schye, Simon, Smith, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 78

Noes: Campbell, Clark, Cobb, Cohen, Connelly, DeBruycker, Elliott, Good, Grinde, Hansen, Kasten, Peck, Peterson, Phillips, Russell, Simpkins, Spaeth, Spring, Swysgood, Thoft.

Total 20

Paired: Squires, Aye; Cobb, No.

Excused: Bradley, Moore.

Total 2

Absent or not voting: None.

Total 0

SB 444 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Bradley, Cobb, Moore.

Total 3

Absent or not voting: None.

Total 0

SB 449 concurred in as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Compton, Connelly, Daily, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington,

Hoffman, Iverson, Johnson, Kadas, Keller, Kimberley, Knapp, Koehnke, Lee, Marks, McDonough, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peterson, Quilici, Ramirez, Ream, Rehberg, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 73

Noes: Aafedt, Campbell, Cohen, Darko, DeBruycker, Glaser, Good, Grinde, Hayne, Kasten, Kilpatrick, McCormick, R. Nelson, Owens, Patterson, Peck, Phillips, Raney, Rice, Stepler, Swift, Swysgood, Thoft, Thomas.

Total 24

Excused: Bradley, Cobb, Moore.

Total 3

Absent or not voting: None.

Total 0

SB 450 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Daily, Darko, Davis, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hanson, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Phillips, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Squires, Stepler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 79

Noes: Campbell, Cobb, Connelly, DeBruycker, Driscoll, Grinde, Hansen, Harper, Kasten, Knapp, Menahan, O'Keefe, Peterson, Spaeth, Spring, Stang, Swysgood, Thoft.

Total 18

Paired: Mercer, Aye; Cobb, No.

Excused: Bradley, Moore.

Total 2

Absent or not voting: Quilici.

Total 1

SB 452 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Simpkins.

Total 1

Excused: Bradley, Cobb, Moore.

Total 3

Absent or not voting: None.

Total 0

SJR 13 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Cohen.

Total 1

Excused: Bradley, Cobb, Moore.

Total 3

Absent or not voting: None.

Total 0

MOTIONS

Representative Wyatt moved the rules be suspended to permit the late drafting and introduction of a resolution. Motion carried.

Representative Simpkins moved he be allowed to change his vote on SB 91, third reading, from no to yes, his vote on SB 209, third reading, from yes to no, and his vote on SB 452, third reading, from no to yes. Motion failed.

Representative Daily moved HB 771 be taken from the Committee on Taxation and be printed and placed on second reading. Motion failed. (35-62)

Representative Harper moved the rules be suspended to allow consideration of SB 139, HB 699, and HB 791 on second and third readings before the 71st legislative day.

Representative Boharski moved the motion be divided. Motion carried.

Thereupon, the motion relating to HB 699 passed.

Thereafter, the motion relating to SB 139 passed.

Thereafter, the motion relating to HB 791 passed.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Swysgood in the Chair.

Speaker Pro Tempore: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 128 - Representative Marks moved SB 128 be placed below Governor's amendments to HB 391 on the second reading board. Motion carried.

HB 125 - Representative Harrington moved HB 125 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Brooke, D. Brown, J. Brown, Campbell, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Hannah, Hansen, Hanson, Harrington, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough, Menahan, L. Nelson, R. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, Rehberg, Russell, Schye, Simon, Spaeth, Squires, Stang, Stickney, Strizich, Swysgood, Wallin, Westlake, Whalen, Zook, Mr. Speaker.
Total 68

Noes: Aafedt, Boharski, Clark, DeBruycker, Gilbert, Grinde, Guthrie, Harper, Hayne, Kasten, Lee, Marks, Mercer, T. Nelson, Owens, Patterson, Phillips, Ramirez, Rice, Roth, Simpkins, Smith, Spring, Stepler, Swift, Thoft, Wyatt.
Total 27

Excused: Bradley, Cobb, Moore.
Total 3

Absent or not voting: O'Connell, Thomas.
Total 2

HB 163 - Representative Campbell moved HB 163 do pass.

Representative Cohen moved to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative Cohen moved HB 163, second reading copy, be amended. Amendment failed. (44-52)

Thereupon, HB 163 passed as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, DeBruycker, DeMars, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hayne, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Knapp, Koehnke, Lee, Marks, McDonough, Menahan, Mercer, R. Nelson, T. Nelson, Owens, Patterson, Peck, Peterson, Phillips, Ramirez, Raney, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Zook, Mr. Speaker.
Total 74

Noes: Bardanouve, Brooke, Cohen, Davis, Elliott, Gervais, Hansen, Harper, Harrington, Hoffman, Kimberley, McCormick, L. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Quilici, Ream, Russell, Stepler, Whalen, Wyatt.

Total 23

Excused: Bradley, Cobb, Moore.

Total 3

Absent or not voting: None.

Total 0

HB 202 - Representative Pavlovich moved HB 202, second reading copy, be amended as follows:

1. Title, line 4.

Following: "TO"

Insert: "TEMPORARILY"

2. Title, line 5.

Strike: "5"

Insert: "2"

3. Title, line 8.

Following: "VETERANS"

Insert: "AND TO PROVIDE REVENUE FOR CONSTRUCTION COSTS OF SUCH FACILITIES"

4. Title, line 9.

Following: line 8

Strike: "AND"

5. Title, line 10.

Following: "MCA"

Insert: "; AND PROVIDING A TERMINATION PROVISION"

6. Page 1, line 13.

Following: "study —"

Insert: "construction —"

7. Page 1, line 15.

Following: "fund"

Strike: ". Money"

Insert: "into which must be deposited 11.11% of the money"

Strike: "5-cent"

Insert: "2-cent"

8. Page 1, line 17.

Following: "to"

Insert: ":

(1)"

9. Page 1, line 20.

Following: "Montana"

Insert: "; and

(2) to the department of administration for construction or remodeling, including land purchase and design costs, of state nursing homes and domiciliary homes for veterans in Montana"

10. Page 2, line 2.

Strike: "21"

Insert: "18"

11. Page 2, line 12.

Strike: "60.76%"

Insert: "70.89%"

12. Page 2, line 13.

Strike: "15.43%"

Insert: "18%"

13. Page 2, line 15.

Strike: "23.81%"

Insert: "11.11%"

14. Page 3, line 11.

Strike: "60.76%"

Insert: "70.89%"

15. Page 5.

Following: line 21

Insert: "NEW SECTION. Section 7. Termination. [This act] terminates on the date on which the board of veterans' affairs and the department of administration certifies to the governor that the costs incurred by the state of Montana in executing the provisions of [section 1] are completely paid."

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanoue, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Good.

Total 1

Excused: Bradley, Cobb, Moore.

Total 3

Absent or not voting: Kadas.

Total 1

Representative Cobb present at this time.

Representative Pavlovich moved HB 202, as amended, do pass.

Representative Pavlovich made a substitute motion HB 202 be placed below HB 588 on the second reading board. Motion carried.

HB 269 - Representative Koehnke moved HB 269, second reading copy, be amended as follows:

1. Title, line 8.

Strike: "AND LOCAL"

2. Page 2, line 11 through page 3, line 3.

Strike: page 2, line 11 through page 3, line 3 in their entirety

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Brooke, D. Brown, J. Brown, Campbell, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Gould, Grady, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Schye, Smith, Spaeth, Squires, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 75

Noes: Boharski, Clark, Cobb, DeBruycker, DeMars, Giacometto, Glaser, Good, Grinde, Kasten, Lee, Mercer, Patterson, Phillips, Rice, Simpkins, Spring, Stang, Steppler.

Total 19

Excused: Bradley, Moore.

Total 2

Absent or not voting: Bardanouve, Hannah, Pavlovich, Simon.

Total 4

Representative Moore present at this time.

Representative Grady excused at this time.

Representative Koehnke moved HB 269, as amended, do pass. Motion failed as follows:

Ayes: Addy, Bachini, Blotkamp, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Darko, Davis, DeMars, Driscoll, Elliott, Gervais, Harper, Kilpatrick, Kimberley, Koehnke, McCormick, Menahan, L. Nelson, Nisbet, O'Connell, Pavlovich, Peck, Quilici, Raney, Ream, Russell, Schye, Spaeth, Squires, Stang, Stickney, Strizich, Swift, Thoft, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 42

Noes: Aafedt, Bardanouve, Boharski, Brooke, Campbell, Clark, Compton, Daily, DeBruycker, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Knapp, Lee, Marks, McDonough, Mercer, Moore, R. Nelson, T. Nelson, O'Keefe, Owens, Patterson, Peterson, Phillips, Ramirez, Rehberg, Rice, Roth, Simon, Simpkins, Smith, Spring, Steppler, Swysgood, Thomas, Wallin, Zook.

Total 55

Paired: Davis, Quilici, Ayes; Grady, Roth, Noes.

Excused: Bradley.

Total 1

Absent or not voting: D. Brown, Harrington.

Total 2

Chairman Swysgood announced the House would stand at ease until 1:30 p.m.

House recessed at 12:21 p.m.

House reconvened at 1:35 p.m.

Representatives Bradley and Grady present at this time.

Representatives Davis, Grinde, and Thoft excused at this time.

HB 280 - Representative Vincent moved HB 280 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: Davis, Grinde, Thoft.
Total 3

Absent or not voting: Schye.
Total 1

Representative Gervais excused at this time.

Representative Davis present at this time.

HB 293 - Representative Cohen moved HB 293 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Glaser, Good, Grady, Hannah, Hansen, Harper, Harrington, Johnson, Kadas, Kilpatrick, Kimberley, Koehnke, McCormick, McDonough, Menahan, Moore, L. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, Rice, Russell, Schye, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Thomas, Westlake, Whalen, Wyatt, Mr. Speaker.
Total 58

Noes: Aafedt, Bardanouve, Campbell, Clark, Compton, DeBruycker, Ellison, Eudaily, Giacometto, Gilbert, Gould, Guthrie, Hanson, Hayne, Hoffman, Iverson, Kasten, Keller, Knapp, Lee, Marks, Mercer, R. Nelson, T. Nelson, Owens, Patterson, Peterson, Phillips, Ramirez, Rehberg, Roth, Simon, Simpkins, Smith, Spring, Swift, Swysgood, Wallin, Zook.
Total 39

Excused: Gervais, Grinde, Thoft.
Total 3

Absent or not voting: None.
Total 0

HB 475 - Representative Cohen moved HB 475 do pass.

Representative Cohen made a substitute motion to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative Cohen moved HB 475, second reading copy, be amended.

Representative Cohen withdrew the amendment.

Thereupon, the motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Giacometto, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Ellison, Gilbert, Hayne, Swysgood, Thomas.

Total 5

Excused: Gervais, Grinde, Thoft.

Total 3

Absent or not voting: None.

Total 0

HB 479 - Representative Addy moved HB 479, second reading copy, be amended as follows:

1. Page 3, lines 3 and 4.

Following: line 2

Strike: "(A) HOTELS, MOTELS, AND OTHER LODGING OR CAMPING FACILITIES;"

Renumber: subsequent subsections

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Swift, Swysgood, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: None.

Total 0

Excused: Gervais, Grinde, Thoft.

Total 3

Absent or not voting: Blotkamp, Driscoll, Menahan, Nisbet, Peterson, Steppler, Strizich.

Total 7

Representatives Gervais and Thoft present at this time.

Representative Addy moved HB 479, as amended, do pass. Motion failed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, J. Brown, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, DeBruycker, DeMars, Gilbert, Hansen, Harrington, Hayne, Hoffman, Iverson, Kadas, Kilpatrick, Kimberley, Koehnke, Lee, McDonough, Moore, L. Nelson, R. Nelson, T. Nelson, O'Keefe, Peck, Raney, Ream, Rice, Russell, Schye, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Mr. Speaker.

Total 45

Noes: Aafedt, Boharski, D. Brown, Campbell, Clark, Cobb, Cody, Davis, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hanson, Harper, Johnson, Kasten, Keller, Knapp, Marks, McCormick, Menahan, Mercer, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Rehberg, Roth, Simon, Simpkins, Smith, Steppler, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook.

Total 53

Excused: Grinde.

Total 1

Absent or not voting: Driscoll.

Total 1

HB 588 - Representative Mercer moved HB 588, second reading copy, be amended as follows:

1. Page 4, line 7.

Following: "vessel"

Insert: "12 feet in length or less"

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ream, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Raney, Steppler.

Total 2

Excused: Grinde.

Total 1

Absent or not voting: Cohen, Ellison, Gervais, Ramirez, Russell, Thomas, Whalen.

Total 7

Representative Whalen excused at this time.

Representative Menahan moved HB 588, second reading copy, be amended as follows:

1. Page 2, line 24.

Following: "canoe,"

Insert: "kayak,"

2. Page 13, line 24.

Following: "canoe"

Insert: ", a canoe or kayak propelled by wind,"

Following: "or"

Insert: "a"

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Grinde, Whalen.

Total 2

Absent or not voting: DeBruycker, Ellison, Gervais.

Total 3

Representative Menahan moved HB 588, as amended, do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Grinde, Whalen.

Total 2

Absent or not voting: Swysgood.

Total 1

Representative Grinde present at this time.

HB 202 - Representative Bardanouve moved HB 202, second reading copy, be amended as follows:

1. Title, line 9.

Following: line 8

Strike: "AND"

2. Title, line 10.

Following: "MCA; AND PROVIDING" [new language taken from Rep. Pavlovich's amendment adopted in the Committee of the Whole March 29, 1989]

Strike: the remainder of Rep. Pavlovich's amendment No. 5

Insert: "AN EFFECTIVE DATE AND A TERMINATION PROVISION"

3. Page 5.

Following: line 21

Insert: "NEW SECTION. Section 6. Effective date. [Sections 3 and 4 of this act] are effective November 1, 1989."

Insert: Rep. Pavlovich's amendment No. 15 dealing with termination, adopted in the Committee of the Whole on March 29, 1989, at this point and renumber it accordingly.

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Whalen.

Total 1

Absent or not voting: Grinde, Kasten.

Total 2

Representative Pavlovich moved HB 202, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Blotkamp, Boharski, Bradley, J. Brown, Cohen, Connelly, Daily, Darko, DeBruycker, DeMars, Driscoll, Eudaily, Gervais, Glaser, Good, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, McDonough, Menahan, Mercer, Moore, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Rice, Russell, Schye, Spaeth, Spring, Squires, Stepler, Stickney, Strizich, Westlake, Wyatt, Zook, Mr. Speaker.

Total 56

Noes: Aafedt, Addy, Bardanoue, Brooke, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Davis, Elliott, Giacometto, Gilbert, Gould, Grinde, Guthrie, Hayne, Hoffman, Iverson, Kasten, Marks, L. Nelson, R. Nelson, Owens, Ramirez, Ream, Rehberg, Simon, Simpkins, Smith, Stang, Swift, Swysgood, Thoft, Wallin.

Total 36

Excused: Whalen.

Total 1

Absent or not voting: D. Brown, Ellison, Lee, McCormick, T. Nelson, Roth, Thomas.

Total 7

HB 641 - Representative Quilici moved HB 641 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Hannah, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: Bardanoue, Guthrie, Hansen, Marks, Raney, Smith, Thoft.

Total 7

Excused: Whalen.

Total 1

Absent or not voting: Cobb, Ellison, Grady, Moore.

Total 4

HB 664 - Representative Schye moved HB 664 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanoue, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Grady, Hansen, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Koehnke, McCormick,

McDonough, Menahan, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rice, Roth, Russell, Schye, Simon, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 74

Noes: Aafedt, Boharski, Campbell, Cobb, Giacometto, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hanson, Hayne, Kasten, Keller, Knapp, Lee, Marks, Mercer, Owens, Rehberg, Simpkins, Smith, Swysgood, Thoft, Wallin.

Total 26

Paired: Whalen, Aye; Hannah, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 690 - Representative Spaeth moved HB 690, second reading copy, be amended as follows:

1. Title, line 6.

Following: "PLANT;"

Insert: "DISALLOWING DEPRECIATION OR AMORTIZATION OF THE TITLE PLANT;"

2. Title, line 7.

Strike: "AND"

Insert: ","

Following: "15-24-602,"

Insert: "15-30-111, AND 15-31-114,"

3. Page 6.

Following: line 7

Insert: "Section 3. Section 15-30-111, MCA, is amended to read:

"15-30-111. Adjusted gross income. (1) Adjusted gross income shall be the taxpayer's federal income tax adjusted gross income as defined in section 62 of the Internal Revenue Code of 1954 or as that section may be labeled or amended and in addition shall include the following:

(a) interest received on obligations of another state or territory or county, municipality, district, or other political subdivision thereof;

(b) refunds received of federal income tax, to the extent the deduction of such tax resulted in a reduction of Montana income tax liability; ~~and~~

(c) that portion of a shareholder's income under subchapter S. of Chapter 1 of the Internal Revenue Code of 1954 that has been reduced by any federal taxes paid by the subchapter S. corporation on the income; and

(d) depreciation or amortization taken on a title plant as defined in 33-25-105(15).

(2) Notwithstanding the provisions of the federal Internal Revenue Code of 1954 as labeled or amended, adjusted gross income does not

include the following which are exempt from taxation under this chapter:

(a) all interest income from obligations of the United States government, the state of Montana, county, municipality, district, or other political subdivision thereof;

(b) interest income earned by a taxpayer age 65 or older in a taxable year up to and including \$800 for a taxpayer filing a separate return and \$1,600 for each joint return;

(c) all benefits, not in excess of \$3,600, received:

(i) under the Federal Employees' Retirement Act;

(ii) under the public employee retirement laws of a state other than Montana; or

(iii) as an annuity, pension, or endowment under any private or corporate retirement plan or system;

(d) all benefits paid under the teachers' retirement law which are specified as exempt from taxation by 19-4-706;

(e) all benefits paid under The Public Employees' Retirement System Act which are specified as exempt from taxation by 19-3-105;

(f) all benefits paid under the highway patrol retirement law which are specified as exempt from taxation by 19-6-705;

(g) all Montana income tax refunds or credits thereof;

(h) all benefits paid under 19-11-602, 19-11-604, and 19-11-605 to retired and disabled firefighters, their surviving spouses and orphans or specified as exempt from taxation by 19-13-1003;

(i) all benefits paid under the municipal police officers' retirement system that are specified as exempt from taxation by 19-9-1005;

(j) gain required to be recognized by a liquidating corporation under 15-31-113(1)(a)(ii);

(k) all tips covered by section 3402(k) of the Internal Revenue Code of 1954, as amended and applicable on January 1, 1983, received by persons for services rendered by them to patrons of premises licensed to provide food, beverage, or lodging;

(l) all benefits received under the workers' compensation laws;

(m) all health insurance premiums paid by an employer for an employee if attributed as income to the employee under federal law; and

(n) all benefits paid under an optional retirement program that are specified as exempt from taxation by 19-21-212.

(3) In the case of a shareholder of a corporation with respect to which the election provided for under subchapter S. of the Internal Revenue Code of 1954, as amended, is in effect but with respect to which the election provided for under 15-31-202, as amended, is not in effect, adjusted gross income does not include any part of the corporation's undistributed taxable income, net operating loss, capital gains or other gains, profits, or losses required to be included in the shareholder's federal income tax adjusted gross income by reason of

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the said election under subchapter S. However, the shareholder's adjusted gross income shall include actual distributions from the corporation to the extent they would be treated as taxable dividends if the subchapter S. election were not in effect.

(4) A shareholder of a DISC that is exempt from the corporation license tax under 15-31-102(1)(l) shall include in his adjusted gross income the earnings and profits of the DISC in the same manner as provided by federal law (section 995, Internal Revenue Code) for all periods for which the DISC election is effective.

(5) A taxpayer who, in determining federal adjusted gross income, has reduced his business deductions by an amount for wages and salaries for which a federal tax credit was elected under section 44B of the Internal Revenue Code of 1954 or as that section may be labeled or amended is allowed to deduct the amount of such wages and salaries paid regardless of the credit taken. The deduction must be made in the year the wages and salaries were used to compute the credit. In the case of a partnership or small business corporation, the deduction must be made to determine the amount of income or loss of the partnership or small business corporation.

(6) Married taxpayers filing a joint federal return who must include part of their social security benefits or part of their tier 1 railroad retirement benefits in federal adjusted gross income may split the federal base used in calculation of federal taxable social security benefits or federal taxable tier 1 railroad retirement benefits when they file separate Montana income tax returns. The federal base must be split equally on the Montana return.

(7) A taxpayer receiving retirement disability benefits who has not attained age 65 by the end of the taxable year and who has retired as permanently and totally disabled may exclude from adjusted gross income up to \$100 per week received as wages or payments in lieu of wages for a period during which the employee is absent from work due to the disability. If the adjusted gross income before this exclusion and before application of the two-earner married couple deduction exceeds \$15,000, the excess reduces the exclusion by an equal amount. This limitation affects the amount of exclusion, but not the taxpayer's eligibility for the exclusion. If eligible, married individuals shall apply the exclusion separately, but the limitation for income exceeding \$15,000 is determined with respect to the spouses on their combined adjusted gross income. For the purpose of this subsection, permanently and totally disabled means unable to engage in any substantial gainful activity by reason of any medically determined physical or mental impairment lasting or expected to last at least 12 months.

(8) A person receiving benefits described in subsections (2)(d) through (2)(f), (2)(h), or (2)(i) may not exclude benefits described in subsection (2)(c) from adjusted gross income unless the benefits received under subsections (2)(d) through (2)(f), (2)(h), or (2)(i) are less than \$3,600, in which case the person may combine benefits to exclude up to a total of \$3,600 from adjusted gross income. (Subsection (2)(k) terminates on occurrence of contingency—sec. 3, Ch. 634, L. 1983.)”

4. Page 6.

Following: the previous amendment placed at line 8

Insert: "Section 4. Section 15-31-114, MCA, is amended to read:

"15-31-114. Deductions allowed in computing income. In computing the net income, the following deductions shall be allowed from the gross income received by such corporation within the year from all sources:

(1) All the ordinary and necessary expenses paid or incurred during the taxable year in the maintenance and operation of its business and properties, including reasonable allowance for salaries for personal services actually rendered, subject to the limitation hereinafter contained, rentals or other payments required to be made as a condition to the continued use or possession of property to which the corporation has not taken or is not taking title or in which it has no equity. No deduction shall be allowed for salaries paid upon which the recipient thereof has not paid Montana state income tax; provided, however, that where domestic corporations are taxed on income derived from without the state, salaries of officers paid in connection with securing such income shall be deductible.

(2) (a) All losses actually sustained and charged off within the year and not compensated by insurance or otherwise, including a reasonable allowance for the wear and tear and obsolescence of property used in the trade or business, such allowance to be determined according to the provisions of section 167 of the Internal Revenue Code in effect with respect to the taxable year. All elections for depreciation shall be the same as the elections made for federal income tax purposes. No deduction shall be allowed for any amount paid out for any buildings, permanent improvements, or betterments made to increase the value of any property or estate, and no deduction shall be made for any amount of expense of restoring property or making good the exhaustion thereof for which an allowance is or has been made. No depreciation or amortization deduction shall be allowed on a title plant as defined in 33-25-105(15).

(b) (i) There shall be allowed as a deduction for the taxable period a net operating loss deduction determined according to the provisions of this subsection. The net operating loss deduction is the aggregate of net operating loss carryovers to such taxable period plus the net operating loss carrybacks to such taxable period. The term "net operating loss" means the excess of the deductions allowed by this section, 15-31-114, over the gross income, with the modifications specified in (ii) of this subsection. If for any taxable period beginning after December 31, 1970, a net operating loss is sustained, such loss shall be a net operating loss carryback to each of the three taxable periods preceding the taxable period of such loss and shall be a net operating loss carryover to each of the five taxable periods following the taxable period of such loss. A net operating loss for any taxable period ending after December 31, 1975, in addition to being a net operating loss carryback to each of the three preceding taxable periods, shall be a net operating loss carryover to each of the seven taxable periods following the taxable period of such loss. The portion of such loss which shall be carried to each of the other taxable years shall be the excess, if any, of the amount of such loss over the sum of the net income for each of the prior taxable periods to which such loss was carried. For purposes of the preceding sentence, the net income for such prior taxable period shall be computed with the modifications specified in (ii)(B) of this subsection and by determining the amount of the net operating loss deduction without regard to

the net operating loss for the loss period or any taxable period thereafter, and the net income so computed shall not be considered to be less than zero.

(ii) The modifications referred to in (i) of this subsection shall be as follows:

(A) No net operating loss deduction shall be allowed.

(B) The deduction for depletion shall not exceed the amount which would be allowable if computed under the cost method.

(C) Any net operating loss carried over to any taxable years beginning after December 31, 1978, must be calculated under the provisions of this section effective for the taxable year for which the return claiming the net operating loss carryover is filed.

(iii) A net operating loss deduction shall be allowed only with regard to losses attributable to the business carried on within the state of Montana.

(iv) In the case of a merger of corporations, the surviving corporation shall not be allowed a net operating loss deduction for net operating losses sustained by the merged corporations prior to the date of merger. In the case of a consolidation of corporations, the new corporate entity shall not be allowed a deduction for net operating losses sustained by the consolidated corporations prior to the date of consolidation.

(v) Notwithstanding the provisions of 15-31-531, interest shall not be paid with respect to a refund of tax resulting from a net operating loss carryback or carryover.

(vi) The net operating loss deduction shall not be allowed with respect to taxable periods which ended on or before December 31, 1970, but shall be allowed only with respect to taxable periods beginning on or after January 1, 1971.

(3) In the case of mines, other natural deposits, oil and gas wells, and timber, a reasonable allowance for depletion and for depreciation of improvements; such reasonable allowance to be determined according to the provisions of the Internal Revenue Code in effect for the taxable year. All elections made under the Internal Revenue Code with respect to capitalizing or expensing exploration and development costs and intangible drilling expenses for corporation license tax purposes shall be the same as the elections made for federal income tax purposes.

(4) The amount of interest paid within the year on its indebtedness incurred in the operation of the business from which its income is derived; but no interest shall be allowed as a deduction if paid on an indebtedness created for the purchase, maintenance, or improvement of property or for the conduct of business unless the income from such property or business would be taxable under this part.

(5) (a) Taxes paid within the year, except the following:

(i) Taxes imposed by this part.

(ii) Taxes assessed against local benefits of a kind tending to increase the value of the property assessed.

(iii) Taxes on or according to or measured by net income or profits imposed by authority of the government of the United States.

(iv) Taxes imposed by any other state or country upon or measured by net income or profits.

(b) Taxes deductible under this part shall be construed to include taxes imposed by any county, school district, or municipality of this state.

(6) That portion of an energy-related investment allowed as a deduction under 15-32-103.

(7) (a) Except as provided in subsection (b), charitable contributions and gifts that qualify for deduction under section 170 of the Internal Revenue Code, as amended.

(b) The public service commission shall not allow in the rate base of a regulated corporation the inclusion of contributions made under this subsection.

(8) In lieu of the deduction allowed under subsection (7), the taxpayer may deduct the fair market value, not to exceed 30% of the taxpayer's net income, of a computer or other sophisticated technological equipment or apparatus intended for use with the computer donated to an elementary, secondary, or accredited postsecondary school located in Montana if:

(a) the contribution is made no later than 5 years after the manufacture of the donated property is substantially completed;

(b) the property is not transferred by the donee in exchange for money, other property, or services; and

(c) the taxpayer receives a written statement from the donee in which the donee agrees to accept the property and representing that the use and disposition of the property will be in accordance with the provisions of (b) of this subsection (8)."

Renumber: subsequent sections

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: None.

Total 0

Excused: Whalen.

Total 1

Absent or not voting: D. Brown, Cobb, Eudaily, Giacometto, Patterson, Peterson, Ream, Squires.
Total 8

Representative Spaeth moved HB 690, as amended, do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Boharski, Bradley, D. Brown, J. Brown, Campbell, Compton, Connelly, Davis, DeBruycker, DeMars, Driscoll, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Hannah, Hansen, Hanson, Harrington, Hayne, Iverson, Johnson, Kasten, Keller, Kimberley, Knapp, Lee, McDonough, Menahan, Mercer, Moore, R. Nelson, T. Nelson, Owens, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Swysgood, Thomas, Wallin, Westlake, Mr. Speaker.
Total 60

Noes: Bachini, Bardanouve, Blotkamp, Brooke, Clark, Cocchiarella, Cody, Darko, Elliott, Guthrie, Harper, Hoffman, Kadas, Kilpatrick, Koehnke, McCormick, L. Nelson, Nisbet, O'Connell, O'Keefe, Peck, Raney, Ream, Schye, Stang, Steppler, Stickney, Swift, Thoft, Wyatt, Zook.
Total 31

Excused: Daily, Whalen.
Total 2

Absent or not voting: Cobb, Cohen, Ellison, Grady, Marks, Patterson, Strizich.
Total 7

Representative Daily excused at this time.

HB 703 - Representative Ramirez moved HB 703 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: Daily, Whalen.
Total 2

Absent or not voting: Bardanouve, Grinde.
Total 2

Representative Spaeth excused at this time.

HB 746 - Representative Pavlovich moved HB 746 do pass. Motion failed as follows:

Ayes: Aafedt, Bachini, D. Brown, Campbell, Compton, Daily, Davis, DeBruycker, DeMars, Driscoll, Gervais, Giacometto, Gilbert, Glaser, Gould, Hanson, Harrington, McCormick, Menahan, Moore, L. Nelson, Nisbet, O'Connell, Owens, Pavlovich, Peterson, Phillips, Quilici, Rehberg, Roth, Smith, Spaeth, Stang, Strizich, Swysgood, Whalen.

Total 36

Noes: Addy, Bardanouve, Blotkamp, Boharski, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Darko, Elliott, Eudaily, Good, Grinde, Guthrie, Hannah, Hansen, Harper, Hayne, Hoffman, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McDonough, Mercer, R. Nelson, T. Nelson, O'Keefe, Peck, Ramirez, Raney, Ream, Rice, Russell, Schye, Simon, Simpkins, Spring, Squires, Stepler, Stickney, Swift, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 57

Paired: Daily, Spaeth, Whalen, Ayes; Hannah, Ramirez, Thomas, Noes.

Excused: None.

Total 0

Absent or not voting: Bradley, Connelly, Ellison, Grady, Iverson, Kadas, Patterson.

Total 7

Representative Spaeth present at this time.

HB 752 - Representative Raney moved HB 752 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, J. Brown, Campbell, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: Clark, Giacometto.

Total 2

Excused: Daily, Whalen.

Total 2

Absent or not voting: Bradley, D. Brown, Cobb, Ellison, Kadas, Pavlovich, Peterson.

Total 7

HB 754 - Representative Harper moved HB 754 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cohen, Compton, Connelly, Darko, Davis, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gould, Grady, Hansen, Harper, Harrington, Iverson, Kadas, Kilpatrick, Kimberley, Marks, McCormick, McDonough, Menahan, Moore, Nisbet, O'Keefe, Owens, Quilici, Ramirez,

Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Smith, Spaeth, Squires, Stickney, Strizich, Thomas, Wallin, Wyatt, Mr. Speaker.
Total 55

Noes: Bachini, Campbell, Clark, Cody, DeBruycker, DeMars, Giacometto, Gilbert, Glaser, Good, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Johnson, Kasten, Keller, Knapp, Koehnke, Lee, L. Nelson, R. Nelson, T. Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Simpkins, Spring, Stang, Stepler, Swift, Swysgood, Thoft, Westlake, Zook.
Total 40

Excused: Daily, Whalen.
Total 2

Absent or not voting: Bardanouve, Boharski, Mercer.
Total 3

SB 128 - Representative Vincent moved SB 128 be placed below HB 791 on the second reading board. Motion carried.

HB 757 - Representative Giacometto moved HB 757, second reading copy, be amended as follows:

1. Page 7.

Following: line 13

Insert: "(2) "Aquifer" means a water-bearing, subsurface formation capable of yielding sufficient quantities of water to a well for a beneficial use."

Renumber: subsequent subsections

2. Page 8, lines 5 and 6.

Following: "saturation"

Strike: the remainder of lines 5 and 6

Insert: "."

3. Page 8, line 16.

Following: "section"

Strike: "9(5)"

Insert: "9(3)"

4. Page 8.

Following: line 16

Strike: "(6)"

Insert: "(4)"

5. Page 22, line 21.

Following: "~~through~~"

Insert: "that reveals that a person using an agricultural chemical or introducing or discharging the chemical into ground water has violated a provision of [section 17] or Title 75, chapter 5"

Following: ".,"

Insert: "or"²

6. Page 24, line 15.

Strike: "INTO"

Insert: "in"

7. Page 25, line 25.

Following: "by the"

Strike: "board"

Insert: "department of health and environmental sciences"

8. Page 28, line 20.

Following: "WATER"

Insert: "or when EPA implements a program to protect ground water from fertilizers"

Amendment passed as follows:

Ayes: Aafedt, Addy, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Westlake, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Bachini, Peck.

Total 2

Excused: Daily, Whalen.

Total 2

Absent or not voting: D. Brown, Clark, Iverson, Peterson, Wallin.

Total 5

Representative Giacometto moved HB 757, as amended, do pass.

Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Raney.

Total 1

Excused: Daily, Whalen.

Total 2

Absent or not voting: Kasten.

Total 1

HB 699 - Representative Addy moved HB 699 do pass.

Representative Marks made a substitute motion to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative Marks moved HB 699, second reading copy, be amended as follows:

Amend the House Appropriations Committee report dated March 28, 1989 as follows:

1. Strike amendments 1 through 5 in their entirety.

Amend HB 699 second reading copy, as follows:

1. Title, lines 20 and 21.

Strike: "GENERAL FUND"

Insert: "BOARD OF INVESTMENTS"

2. Title, line 22.

Following: "SECTIONS"

Insert: "17-6-202,"

3. Page 12, line 11.

Strike: "\$6,300,000"

Insert: "\$7,250,000"

4. Page 12, line 12.

Strike: "STATE GENERAL FUND"

Insert: "board of investments"

5. Page 12, line 13.

Strike: "STATE GENERAL FUND"

Insert: "board of investments"

6. Page 12, line 15.

Strike: "WITHOUT"

Insert: "with"

Following: "INTEREST"

Insert: "at 4% per year"

7. Page 18, lines 3 and 4.

Strike: "GENERAL FUND"

Insert: "board of investments"

8. Page 48, line 5.

Following: line 4

Insert: "Section 28. Section 17-6-202, MCA, is amended to read:

"17-6-202. Investment funds — general provisions. (1) For each treasury fund account into which state funds are segregated by the department of administration pursuant to 17-2-106, individual transactions and totals of all investments shall be separately recorded to the extent directed by the department.

(2) However, the securities purchased and cash on hand for all treasury fund accounts not otherwise specifically designated by law or by the provisions of a gift, donation, grant, legacy, bequest, or devise from which the fund account originates to be invested shall be pooled in an account to be designated "treasury cash account" and placed in one of the investment funds designated in 17-6-203. The share of the income for this account shall be credited to the general fund.

(3) If, within the list in 17-6-203 of separate investment funds, more than one investment fund is included which may be held jointly with others under the same separate listing, all investments purchased for that separate investment fund shall be held jointly for all the accounts participating therein, which shall share all capital gains and losses and income pro rata.

(4) The board of investments may loan the patient assured compensation fund up to \$7,350,000 from funds in its control as provided in [section 7]. The loan must bear interest at 4% per year. The board shall credit the payments received pursuant to [section 10] to the funds from which the loan was made.”

Renumber: subsequent sections

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, J. Brown, Campbell, Cobb, Compton, Connelly, Davis, DeBruycker, Eudaily, Giacometto, Good, Gould, Grinde, Hannah, Hansen, Hanson, Hoffman, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McDonough, Mercer, L. Nelson, R. Nelson, O'Connell, O'Keefe, Owens, Patterson, Peck, Phillips, Quilici, Ramirez, Ream, Rehberg, Roth, Russell, Schye, Simon, Smith, Stang, Stickney, Swift, Swysgood, Thomas, Wallin, Zook.
Total 52

Noes: Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, Clark, Cocchiarella, Cody, Cohen, Darko, DeMars, Driscoll, Elliott, Gervais, Glaser, Grady, Guthrie, Harrington, Iverson, Johnson, Kadas, McCormick, Menahan, Moore, T. Nelson, Nisbet, Pavlovich, Peterson, Raney, Rice, Simpkins, Spaeth, Stepler, Strizich, Thoft, Wyatt, Mr. Speaker.
Total 38

Excused: Daily, Whalen.
Total 2

Absent or not voting: Ellison, Gilbert, Harper, Hayne, Kasten, Spring, Squires, Westlake.
Total 8

Thereupon, HB 699, as amended, passed as follows:

Ayes: Aafedt, Addy, Bachini, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Eudaily, Gervais, Giacometto, Gilbert, Good, Gould, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, O'Keefe, Owens, Peck, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simpkins, Smith, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.
Total 70

Noes: Bardanouve, Blotkamp, Boharski, Bradley, Cobb, Cody, Driscoll, Elliott, Ellison, Glaser, Grady, Grinde, Guthrie, Hannah, Harrington, Kadas, Lee, Menahan, Nisbet, Pavlovich, Peterson, Raney, Simon, Spaeth, Spring, Stepler.
Total 26

Excused: Daily, Whalen.
Total 2

Absent or not voting: O'Connell, Patterson.
Total 2

Representative Knapp excused at this time.

HB 761 - Representative Moore moved HB 761 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Gould, Grady, Grinde, Hansen, Harper, Hayne, Hoffman, Johnson, Kadas, Kilpatrick, Kimberley, Koehnke, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Pavlovich, Peterson, Quilici, Raney, Roth, Russell, Schye, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.
Total 71

Noes: Boharski, Campbell, Cobb, DeBruycker, Glaser, Good, Guthrie, Hannah, Harrington, Kasten, Keller, Lee, Patterson, Peck, Phillips, Ramirez, Ream, Rehberg, Rice, Simon, Simpkins, Thoft.
Total 22

Excused: Daily, Knapp, Whalen.
Total 3

Absent or not voting: Bardanouve, Iverson, Marks, O'Connell.
Total 4

HB 764 - Representative Raney moved HB 764 do pass.

Representative D. Brown made a substitute motion to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative D. Brown moved HB 764, second reading copy, be amended as follows:

1. Title, line 6.

Strike: "AND THE CORPORATION LICENSE TAX RATE"

2. Page 53, lines 9 through 13.

Strike: section 25 in its entirety

Renumber: subsequent section

3. Page 53, line 19.

Following: "6 $\frac{3}{4}$ %"

Strike: "6 $\frac{1}{2}$ %"

Insert: "6 $\frac{3}{4}$ %"

4. Page 55, line 13 through page 56, line 3.

Strike: section 27 in its entirety

Renumber: subsequent sections

5. Page 66, lines 16 through 19.

Strike: subsection (3) in its entirety

Renumber: subsequent subsection

Amendment passed as follows:

Ayes: Aafedt, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang,

Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 84

Noes: Addy, Bardanouve, Clark, Elliott, Hansen, Kilpatrick, Kimberley, Nisbet, Peck, Raney, Ream.

Total 11

Excused: Daily, Knapp, Whalen.

Total 3

Absent or not voting: Kadas, O'Connell.

Total 2

Representative Hannah moved for cloture. Motion carried.

Representative Addy excused at this time.

Thereupon, HB 764, as amended, passed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Gervais, Hansen, Harper, Harrington, Johnson, Kadas, Kilpatrick, Kimberley, Koehnke, McCormick, McDonough, Menahan, Moore, L. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, Russell, Schye, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 52

Noes: Aafedt, Boharski, Campbell, Clark, Cobb, Compton, DeBruycker, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Iverson, Kasten, Keller, Lee, Marks, Mercer, R. Nelson, T. Nelson, Owens, Patterson, Peterson, Phillips, Ramirez, Rehberg, Rice, Roth, Simon, Simpkins, Smith, Spring, Swift, Swysgood, Thoft, Thomas, Wallin, Zook.

Total 47

Paired: Addy, Daily, O'Connell, Whalen, Ayes; Giacometto, Hannah, Keller, Rehberg, Noes.

Excused: Knapp.

Total 1

Absent or not voting: None.

Total 0

Representative Addy present at this time.

HB 766 - Representative Good moved HB 766, second reading copy, be amended. Amendment failed. (33-57)

Representative Ramirez moved HB 766, second reading copy, be amended as follows:

1. Title, line 5.

Following: line 4

Strike: "FIVE"

Insert: "SIX"

2. Title, line 6.

Following: "SECTION"

Strike: "15-6-135"

Insert: "15-6-136"

3. Page 1, line 11 through page 4, line 20.

Strike: section 1 in its entirety

Insert: "Section 1. Section 15-6-136, MCA, is amended to read:

"15-6-136. Class six property — description — taxable percentage.

(1) Class six property includes:

(a) livestock and other species of domestic animals and wildlife raised in domestication or a captive environment, except for cats, dogs, and other household pets not raised for profit, and the unprocessed products of such animals and wildlife;

(b) all unprocessed agricultural products on the farm or in storage except:

(i) all perishable fruits and vegetables in farm storage and owned by the producer; and

(ii) all producer-held grain in storage;

(c) items of personal property intended for lease in the ordinary course of business, provided each item of personal property satisfies all of the following:

(i) the full and true value of the personal property is less than \$5,000;

(ii) the personal property is owned by a business whose primary business income is from rental or lease of personal property to individuals wherein no one customer of the business accounts for more than 10% of the total rentals or leases during a calendar year; and

(iii) the lease of the personal property is generally on an hourly, daily, or weekly basis.

(d) machinery and equipment used in a malting barley facility.

(2) "Malting barley facility" means a facility the principal purpose of which is to malt malting barley. The term does not apply to a facility the principal purpose of which is to store, mix, blend, transport, transfer, or otherwise do anything with malting barley, except malt malting barley. However, any machinery or equipment the principal purpose of which is to store, mix, blend, transport, transfer, or otherwise handle malting barley or other machinery or equipment that is used in or is otherwise an integral part of a facility that malts malting barley is machinery or equipment of a malting barley facility for the purposes of this section.

~~(2)~~(3) Class six property is taxed at 4% of its market value.""

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, Owens, Patterson, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Zook, Mr. Speaker.

Total 88

Noes: Giacometto, Guthrie, O'Keefe, Wyatt.

Total 4

Excused: Daily, Knapp, O'Connell, Whalen.

Total 4

Absent or not voting: D. Brown, Kadas, Phillips, Ream.

Total 4

Representative Driscoll moved HB 766, as amended, do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: Clark, Cody, Cohen, Guthrie, Lee, R. Nelson, Thoft.

Total 7

Excused: Daily, Knapp, O'Connell, Whalen.

Total 4

Absent or not voting: None.

Total 0

HB 783 - Representative O'Keefe moved HB 783 do pass. Motion carried as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Koehnke, Lee, Marks, McCormick, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simpkins, Smith, Spring, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: Clark, Grinde, McDonough, Ramirez, Simon, Spaeth, Steppler, Thomas.

Total 8

Excused: Daily, Knapp, O'Connell, Whalen.

Total 4

Absent or not voting: Addy.

Total 1

SB 139 - Representative Harper moved consideration of SB 139 be passed for the day. Motion carried.

HB 791 - Representative Ramirez moved HB 791 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cody, Compton, Darko, DeBruycker, DeMars, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hanson, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kimberley, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 76

Noes: Bardanouve, Cocchiarella, Cohen, Connelly, Davis, Elliott, Gervais, Good, Grady, Guthrie, Hansen, Harper, Kilpatrick, Lee, Nisbet, O'Keefe, Ream.

Total 17

Excused: Daily, Knapp, O'Connell, Whalen.

Total 4

Absent or not voting: Pavlovich, Smith, Spaeth.

Total 3

SB 128 - Representative Bradley moved SB 128, third reading copy, be amended as follows:

Amend House Human Services and Aging Standing Committee Report on SB 128 dated March 21, 1989, as follows:

1. Strike: Amendments Nos. 2 and 37 in their entirety

Amend SB 128, reference copy, as follows:

1. Title, line 11.

Following: "AN"

Strike: "A DELAYED"

Following: "EFFECTIVE"

Strike: "DATE"

Insert: "DATES"

2. Page 16, lines 12 and 13.

Strike: section 14 in its entirety

Insert: "NEW SECTION. Section 14. Effective dates. (1) [Sections 10 through this section] are effective July 1, 1989.

(2) [Sections 1 through 9] are effective January 1, 1990."

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore,

L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Daily, Knapp, O'Connell, Whalen.

Total 4

Absent or not voting: Ellison, Stang.

Total 2

Representative Bradley moved SB 128, as amended, be concurred in.
Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: DeBruycker, Guthrie.

Total 2

Excused: Daily, Knapp, O'Connell, Whalen.

Total 4

Absent or not voting: Stang.

Total 1

Representative Harper moved the committee rise and report. Motion carried. Committee arose. House resumed. Speaker Pro Tempore Addy in the Chair. Chairman Swysgood moved the adoption of the committee report. Report adopted. (85-11)

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

SB 128 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson,

Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: DeBruycker.
Total 1

Excused: Daily, Knapp, O'Connell, Whalen.
Total 4

Absent or not voting: Hannah, Kadas.
Total 2

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 3/29/89
Correctly printed: HB 699, HB 791.
Correctly enrolled: HB 274, HB 395, HB 571, HB 572, HB 592, HB 602, HB 606, HB 656, HB 667, HB 704.
Examined by the sponsors and found to be correct:
HB 274 - Quilici
HB 395 - Cody
HB 571 - D. Brown
HB 572 - DeMars
HB 592 - Driscoll
HB 602 - Roth
HB 606 - Grady
HB 656 - Wallin
HB 667 - Good
HB 704 - Cohen

BUSINESS AND ECONOMIC DEVELOPMENT (Pavlovich, Chairman): 3/29/89
SJR 17, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence: 3/29/89

SB 270, introduced by Williams
SB 458, introduced by Eck
SB 463, introduced by Crippen
SB 469, introduced by Crippen

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 3/29/89

HB 28, introduced by Harrington
HB 166, introduced by Good
HB 301, introduced by Bardanouve
HB 432, introduced by Eudaily
HB 447, introduced by Clark
HB 518, introduced by Stickney
HB 576, introduced by Roth
HB 593, introduced by Russell
HB 616, introduced by DeMars
HB 621, introduced by T. Nelson
HB 630, introduced by Koehnke
HB 647, introduced by Kadas

HB 668, introduced by McDonough

HB 682, introduced by O'Keefe

HB 700, introduced by Pavlovich

House bill indefinitely postponed and returned to the House:

3/28/89

HB 652, introduced by Brooke

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bill was introduced, read first time, and referred to committee:

HB 792, introduced by Davis, referred to Committee on Highways and Transportation

The following Senate bills were introduced, read first time, and referred to committees:

SB 270, introduced by Williams, Harper (by request of the Department of Health and Environmental Sciences), referred to Committee on Labor and Employment Relations

SB 458, introduced by Eck, Halligan, Ream, Smith, Mazurek, Thayer, referred to Committee on Taxation

SB 463, introduced by Crippen, Ramirez, Gage (by request of the Governor), referred to Committee on Taxation

SB 469, introduced by Crippen, Bradley, Eck, Ramirez, referred to Committee on Taxation

MOTIONS

Representative Harper moved the House dissolve the conference committee on HB 496 and the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to consider Senate amendments to HB 496. Motion carried.

Speaker Vincent appointed the following members:

Representative Nisbet, Chairman

Representative Strizich

Representative R. Nelson

Representative Moore moved the rules be suspended to allow her to be recorded as voting yes on SB 95, third reading, yes on SB 342, third reading, and no on SB 390, third reading. Motion carried.

Representative Boharski moved he be allowed to change his vote on HB 791, second reading, from no to yes. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved the House adjourn until 1:00 p.m., Thursday, March 30, 1989.

Motion carried.

House adjourned at 8:55 p.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

SEVENTY-FIRST LEGISLATIVE DAY

Helena, Montana
March 30, 1989

House Chambers
State Capitol

House convened at 1:00 p.m., Mr. Speaker in the Chair. Invocation by Representative Compton. Pledge of Allegiance to the Flag.

Roll call. All members present except Grinde and Hanson, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the sixty-third, sixty-fourth, and sixty-fifth legislative days, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 3/30/89

Correctly engrossed: HB 125, HB 163, HB 202, HB 280, HB 293, HB 475, HB 588, HB 641, HB 664, HB 690, HB 699, HB 703, HB 752, HB 754, HB 757, HB 761, HB 764, HB 766, HB 783, HB 791.

Signed by the Speaker at 5:30 p.m., 3/29/89: HB 274, HB 395, HB 571, HB 572, HB 592, HB 602, HB 606, HB 656, HB 667, HB 704.

Delivered to the Governor for his approval at 9:40 a.m., 3/30/89: HB 313, HB 378, HB 383, HB 399, HB 477, HB 504, HB 534, HB 568, HB 649, HB 650, HB 661, HB 711, HB 723.

HIGHWAYS AND TRANSPORTATION (Stang, Chairman): 3/30/89
HB 792, do pass. Report adopted.

MESSAGES FROM THE GOVERNOR

John Vincent
Speaker of the House
Montana House of Representatives
State Capitol
Helena, Montana 59620

March 30, 1989

Dear Representative Vincent:

Please be informed that I have signed House Bills 185, 264, 412, 424, 448, 491, 558, 646, 662, 670, and 708 on March 29, 1989.

Sincerely,

STAN STEPHENS
Governor

MOTIONS

Representative Addy assumed the Chair at this time.

Representative Vincent moved the rules be suspended to allow for the late drafting and introduction of a House resolution. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative O'Keefe in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HJR 31 - Representative Westlake moved HJR 31 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Cohen, Simon.

Total 2

Excused: Grinde, Hanson.

Total 2

Absent or not voting: Knapp, Schye.

Total 2

HJR 32 - Representative Ream moved HJR 32 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Koehnke, Lee, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Boharski, Campbell, Giacometto, Marks, Steppler.

Total 5

Excused: Grinde, Hanson.

Total 2

Absent or not voting: Knapp, Menahan.

Total 2

HJR 33 - Representative Stickney moved HJR 33 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould,

Grady, Guthrie, Hannah, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Driscoll, Hansen, Owens, Peck.

Total 4

Excused: Grinde, Hanson.

Total 2

Absent or not voting: Kadas, Knapp, O'Keefe, Peterson.

Total 4

HJR 34 - Representative Stickney moved HJR 34 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Hansen, Moore.

Total 2

Excused: Grinde, Hanson.

Total 2

Absent or not voting: D. Brown, Kadas.

Total 2

Representatives Campbell, Mercer, Ramirez, T. Nelson, and Whalen excused at this time.

Representatives Grinde and Hanson present at this time.

HJR 35 - Representative Wallin moved HJR 35 do pass.

Representative Spaeth made a substitute motion HJR 35 be indefinitely postponed. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, DeMars, Driscoll, Elliott, Hansen, Harper, Harrington, Iverson, Kadas, Kilpatrick, Kimberley, Koehnke, McCormick, McDonough, Menahan, Moore, L. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, Schye, Spaeth, Squires, Stickney, Strizich, Westlake, Wyatt, Zook, Mr. Speaker.

Total 48

Noes: Aafedt, Boharski, Cobb, Compton, Davis, DeBruycker, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Grady, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Johnson, Kasten, Keller, Knapp, Lee, Marks, R. Nelson, T. Nelson, Owens, Patterson, Peterson, Phillips, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spring, Stang, Stepler, Swift, Swysgood, Thoft, Thomas, Wallin.

Total 46

Paired: Spaeth, Aye; T. Nelson, No.

Excused: Campbell, Mercer, Ramirez, Whalen.

Total 4

Absent or not voting: Gilbert, Gould.

Total 2

Representatives Mercer and Ramirez present at this time.

HJR 36 - Representative D. Brown moved HJR 36 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Harper, Harrington, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough, Menahan, Moore, L. Nelson, R. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Westlake, Wyatt, Mr. Speaker.

Total 76

Noes: Bardanouve, Bradley, Brooke, Clark, Ellison, Hanson, Hayne, Hoffman, Kasten, Lee, Marks, Mercer, Spring, Thoft, Thomas, Wallin, Zook.

Total 17

Excused: Campbell, T. Nelson, Whalen.

Total 3

Absent or not voting: DeBruycker, Gilbert, Schye, Simon.

Total 4

Representatives Gilbert and O'Connell excused at this time.

HB 58 - Representative Driscoll moved the conference committee report on HB 58 be adopted. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, Nisbet, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler,

Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Zook, Mr. Speaker.
Total 92

Noes: None.
Total 0

Excused: Campbell, Gilbert, T. Nelson, O'Connell, Whalen.
Total 5

Absent or not voting: DeBruycker, Simon, Wyatt.
Total 3

Representative Knapp excused at this time.

HB 87 - Representative Kilpatrick moved the conference committee report on HB 87 be adopted. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Glaser, Good, Grady, Guthrie, Hansen, Hanson, Harper, Harrington, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Koehnke, McCormick, McDonough, Menahan, Moore, L. Nelson, Nisbet, O'Keefe, Owens, Patterson, Pavlovich, Peck, Quilici, Raney, Ream, Russell, Schye, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Westlake, Wyatt, Zook, Mr. Speaker.
Total 63

Noes: Boharski, Clark, Cobb, DeBruycker, Ellison, Giacometto, Gould, Grinde, Hannah, Hayne, Hoffman, Kasten, Keller, Lee, Marks, Mercer, R. Nelson, Peterson, Phillips, Ramirez, Rehberg, Rice, Roth, Simon, Simpkins, Spring, Swift, Swysgood, Thoft, Thomas, Wallin.
Total 31

Excused: Campbell, Gilbert, Knapp, T. Nelson, O'Connell, Whalen.
Total 6

Absent or not voting: None.
Total 0

Representative Raney assumed the Chair at this time.

Representatives Knapp and T. Nelson present at this time.

SB 77 - Representative Darko moved the conference committee report on SB 77 be adopted. Motion carried as follows:

Ayes: Addy, Bachini, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Gervais, Good, Grady, Guthrie, Hansen, Harper, Harrington, Hayne, Johnson, Kadas, Kilpatrick, Kimberley, Koehnke, McCormick, McDonough, Menahan, Moore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Ream, Russell, Schye, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Westlake, Mr. Speaker.
Total 53

Noes: Aafedt, Boharski, Clark, Cobb, Compton, Ellison, Eudaily, Giacometto, Glaser, Gould, Grinde, Hannah, Hanson, Hoffman, Iverson, Kasten, Keller, Knapp, Lee, Marks, Mercer, R. Nelson, Owens, Patterson, Peterson, Phillips, Ramirez, Raney, Rehberg, Rice, Roth, Simon, Simpkins, Smith, Spring, Swift, Swysgood, Thoft, Thomas, Wallin, Wyatt, Zook.
Total 42

Paired: Darko, Aye; Swift, No.

Excused: Campbell, Gilbert, O'Connell, Whalen.

Total 4

Absent or not voting: Bardanouve.

Total 1

Representatives Ramirez and Swift excused at this time.

SB 153 - Representative O'Keefe moved the conference committee report on SB 153 be adopted. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: Boharski, Glaser, Owens, Patterson, Phillips.

Total 5

Excused: Campbell, Gilbert, O'Connell, Ramirez, Swift, Whalen.

Total 6

Absent or not voting: Bardanouve, Clark.

Total 2

Representative O'Keefe resumed the Chair at this time.

SB 179 - Representative Pavlovich moved the conference committee report on SB 179 be adopted. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Grinde, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: DeBruycker, Hannah, R. Nelson.

Total 3

Excused: Campbell, Gilbert, Ramirez, Swift, Whalen.

Total 5

Absent or not voting: Bardanouve, Ellison, Guthrie, Marks.

Total 4

Representative Marks excused at this time.

SB 204 - Representative Stickney moved the conference committee report on SB 204 be adopted. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Knapp, Koehnke, Lee, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Wallin, Wyatt, Zook, Mr. Speaker.
Total 88

Noes: Boharski, Cody.
Total 2

Excused: Campbell, Gilbert, Marks, Ramirez, Swift, Whalen.
Total 6

Absent or not voting: Bardanouve, Kimberley, Menahan, Westlake.
Total 4

Representatives Marks and Swift present at this time.

SB 284 - Representative Blotkamp moved the conference committee report on SB 284 be adopted. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: None.
Total 0

Excused: Campbell, Gilbert, Ramirez, Whalen.
Total 4

Absent or not voting: Bardanouve, Menahan, O'Connell.
Total 3

Representative Ramirez present at this time.

Representative D. Brown excused at this time.

SB 314 - Representative Addy moved the conference committee report on SB 314 be adopted. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko,

Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Glaser, Good, Gould, Grady, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Patterson, Pavlovich, Peck, Quilici, Ramirez, Raney, Ream, Rice, Russell, Schye, Simon, Simpkins, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Wyatt, Zook, Mr. Speaker.

Total 71

Noes: Boharski, Cobb, DeBruycker, Giacometto, Grinde, Guthrie, Hannah, Hayne, Kasten, Keller, R. Nelson, O'Connell, Owens, Peterson, Phillips, Rehberg, Roth, Smith, Spring, Swysgood, Thoft, Thomas, Wallin, Westlake.

Total 24

Excused: D. Brown, Campbell, Gilbert, Whalen.

Total 4

Absent or not voting: Menahan.

Total 1

Representative Gould excused at this time.

HB 1 - Representative Ramirez moved the Governor's amendments to HB 1 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: D. Brown, Campbell, Gilbert, Gould, Whalen.

Total 5

Absent or not voting: Menahan.

Total 1

HB 227 - Representative Harrington moved the Governor's amendments to HB 227 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith,

Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: None.
Total 0

Excused: D. Brown, Campbell, Gilbert, Gould, Whalen.
Total 5

Absent or not voting: None.
Total 0

Representative Stickney excused at this time.

HB 391 - Representative Driscoll moved the Governor's amendments to HB 391 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: DeBruycker, Kadas.
Total 2

Excused: D. Brown, Campbell, Gould, Stickney, Whalen.
Total 5

Absent or not voting: Elliott.
Total 1

Representative Rice excused at this time.

SB 8 - Representative Brooke moved the Governor's amendments to SB 8 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, Driscoll, Elliott, Eudaily, Giacometto, Gilbert, Glaser, Good, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Steppler, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.
Total 84

Noes: Boharski, Clark, DeBruycker, DeMars, Gervais, Guthrie, Spring, Strizich.
Total 8

Excused: D. Brown, Campbell, Gould, Rice, Stickney, Whalen.
Total 6

Absent or not voting: Ellison, Menahan.
Total 2

SB 38 - Representative Wyatt moved the Governor's amendments to SB 38 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Stang, Stepler, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: None.
Total 0

Excused: D. Brown, Campbell, Gould, Rice, Stickney, Whalen.
Total 6

Absent or not voting: Gilbert, Menahan, Squires.
Total 3

Representative Campbell present at this time.

HB 28 - Representative Harrington moved Senate amendments to HB 28 be not concurred in. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brooke, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Gervais, Glaser, Grinde, Hansen, Harper, Harrington, Johnson, Kadas, Kilpatrick, Kimberley, Koehnke, McCormick, McDonough, Menahan, Moore, L. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Quilici, Raney, Ream, Russell, Schye, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Westlake, Whalen, Wyatt, Mr. Speaker.
Total 55

Noes: Aafedt, Blotkamp, Boharski, Clark, Compton, DeBruycker, Ellison, Eudaily, Giacometto, Gilbert, Good, Grady, Guthrie, Hannah, Hanson, Hayne, Hoffman, Iverson, Kasten, Keller, Knapp, Lee, Marks, Mercer, R. Nelson, T. Nelson, Owens, Peterson, Phillips, Ramirez, Rehberg, Roth, Simon, Simpkins, Spring, Swift, Swysgood, Thoft, Thomas, Wallin, Zook.
Total 41

Paired: Stickney, Whalen, Ayes; Hannah, Ramirez, Noes.

Excused: D. Brown, Gould, Rice.
Total 3

Absent or not voting: Campbell.
Total 1

Representative Gould present at this time.

Representative Swysgood excused at this time.

HB 32 - Representative Daily moved Senate amendments to HB 32 be not concurred in. Motion failed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brooke, J. Brown, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gould, Grady, Harper, Harrington, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough, Moore, L. Nelson, R. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, Russell, Schye, Spaeth, Squires, Stang, Stepler, Westlake, Mr. Speaker.
Total 47

Noes: Aafedt, Blotkamp, Boharski, Campbell, Clark, Cobb, Cody, Compton, DeBruycker, Ellison, Gervais, Giacometto, Gilbert, Glaser, Good, Grinde, Guthrie, Hannah, Hansen, Hanson, Hayne, Hoffman, Iverson, Kasten, Keller, Lee, Marks, Menahan, Mercer, T. Nelson, Owens, Patterson, Peterson, Phillips, Ramirez, Rehberg, Roth, Simon, Simpkins, Smith, Spring, Strizich, Swift, Thoft, Thomas, Wallin, Wyatt, Zook.
Total 48

Excused: D. Brown, Rice, Stickney, Swysgood, Whalen.
Total 5

Absent or not voting: None.
Total 0

Representatives Rice and Swysgood present at this time.

Representative Addy moved Senate amendments to HB 32 be concurred in. Motion failed as follows:

Ayes: Aafedt, Boharski, Campbell, Clark, Cobb, Cody, Compton, DeBruycker, Giacometto, Gilbert, Glaser, Grinde, Guthrie, Hannah, Hansen, Hayne, Hoffman, Kasten, Keller, Lee, Marks, Mercer, Owens, Patterson, Peterson, Phillips, Ramirez, Rehberg, Roth, Simon, Simpkins, Smith, Spring, Swift, Thoft, Thomas, Zook.
Total 37

Noes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, J. Brown, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Good, Gould, Grady, Hansen, Harper, Harrington, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough, Menahan, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, Rice, Russell, Schye, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.
Total 62

Paired: Hannah, Aye; Whalen, No.

Excused: D. Brown.
Total 1

Absent or not voting: None.
Total 0

HB 57 - Representative Marks moved Senate amendments to HB 57 be not concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton,

Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Giacometto, Patterson.
Total 2

Excused: D. Brown, Whalen.
Total 2

Absent or not voting: Cohen, Ellison.
Total 2

HB 73 - Representative Kimberley moved Senate amendments to HB 73 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: D. Brown, Whalen.
Total 2

Absent or not voting: Blotkamp.
Total 1

HB 122 - Representative Spaeth moved Senate amendments to HB 122 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith,

Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: D. Brown, Whalen.
Total 2

Absent or not voting: Bardanouve, Menahan.
Total 2

HB 166 - Representative Good moved Senate amendments to HB 166 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Clark.
Total 1

Excused: D. Brown, Whalen.
Total 2

Absent or not voting: Bardanouve, Harrington, Menahan.
Total 3

HB 169 - Representative Lee moved Senate amendments to HB 169 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Cohen, Russell.
Total 2

Excused: D. Brown, Whalen.
Total 2

Absent or not voting: Harrington.

Total 1

HB 204 - Representative Cobb moved Senate amendments to HB 204 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: D. Brown, Whalen.

Total 2

Absent or not voting: Menahan.

Total 1

HB 211 - Representative Addy moved Senate amendments to HB 211 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: D. Brown, Whalen.

Total 2

Absent or not voting: Grady, Menahan, Steppler.

Total 3

HB 222 - Representative Menahan moved Senate amendments to HB 222 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison,

Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Marks.

Total 1

Excused: D. Brown, Whalen.

Total 2

Absent or not voting: Bardanoue, Cobb, Squires.

Total 3

HB 245 - Representative Quilici moved Senate amendments to HB 245 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanoue, Blotkamp, Bradley, Brooke, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Boharski, Cobb, Good, Grinde, Kasten, Keller, Owens, Rice.

Total 8

Excused: D. Brown, Whalen.

Total 2

Absent or not voting: None.

Total 0

Representative D. Brown present at this time.

HB 254 - Representative Thoft moved Senate amendments to HB 254 be concurred in. Motion failed as follows:

Ayes: Aafedt, Bachini, Boharski, Campbell, Clark, Compton, Daily, DeBruycker, DeMars, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Hayne, Iverson, Kasten, Keller, Koehnke, Lee, Marks, Mercer, O'Connell, Owens, Patterson, Pavlovich, Peterson, Phillips, Ramirez, Rehberg, Roth, Simon, Simpkins, Smith, Spring, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook.

Total 50

Noes: Addy, Bardanoue, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Darko, Davis, Driscoll, Elliott,

Gervais, Hansen, Harper, Harrington, Hoffman, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, McCormick, McDonough, Menahan, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Quilici, Raney, Ream, Rice, Russell, Schye, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Whalen, Mr. Speaker.

Total 50

Paired: Hannah, Aye; Whalen, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Grinde excused at this time.

HB 258 - Representative Spaeth moved Senate amendments to HB 258 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Grinde, Whalen.

Total 2

Absent or not voting: D. Brown, Cobb.

Total 2

HB 295 - Representative Addy moved Senate amendments to HB 295 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Clark, DeBruycker, Spring.

Total 3

Excused: Grinde, Whalen.

Total 2

Absent or not voting: D. Brown, Menahan.

Total 2

HB 301 - Representative Bardanouve moved consideration of Senate amendments to HB 301 be passed for the day. Motion carried.

HB 307 - Representative Hoffman moved Senate amendments to HB 307 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Good, Patterson, Phillips.

Total 3

Excused: Grinde, Whalen.

Total 2

Absent or not voting: D. Brown, Menahan.

Total 2

HB 332 - Representative Connelly moved Senate amendments to HB 332 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Grinde, Whalen.

Total 2

Absent or not voting: D. Brown, Gould, Kadas, Menahan, Strizich.

Total 5

HB 336 - Representative Driscoll moved Senate amendments to HB 336 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Gervais, Giacometto, Glaser, Good, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Quilici, Raney, Ream, Rehberg, Rice, Russell, Schye, Simon, Smith, Spaeth, Squires, Stang, Stickney, Strizich, Thomas, Wallin, Westlake, Wyatt, Mr. Speaker.
Total 71

Noes: Campbell, Clark, Cohen, Compton, DeBruycker, Ellison, Eudaily, Gilbert, Gould, Hayne, Hoffman, Iverson, Lee, R. Nelson, T. Nelson, Owens, Peterson, Phillips, Ramirez, Roth, Simpkins, Spring, Stepler, Swift, Swysgood, Thoft, Zook.
Total 27

Excused: Grinde, Whalen.
Total 2

Absent or not voting: None.
Total 0

HB 346 - Representative Rice moved Senate amendments to HB 346 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Glaser, Good, Grady, Guthrie, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, O'Connell, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Spaeth, Spring, Squires, Stepler, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.
Total 79

Noes: Campbell, DeBruycker, Ellison, Gilbert, Gould, Hanson, Kasten, Lee, Nisbet, Owens, Patterson, Phillips, Simpkins, Smith, Stang, Stickney, Swysgood.
Total 17

Excused: Grinde, Whalen.
Total 2

Absent or not voting: Bardanouve, Brooke.
Total 2

HB 349 - Representative Strizich moved Senate amendments to HB 349 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream,

Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: None.
Total 0

Excused: Grinde, Whalen.
Total 2

Absent or not voting: Bardanouve, Brooke, Raney.
Total 3

Representative Harper assumed the Chair at this time.

HB 350 - Representative Strizich moved Senate amendments to HB 350 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: None.
Total 0

Excused: Grinde, Whalen.
Total 2

Absent or not voting: Bardanouve, Brooke, Mercer, Thomas.
Total 4

HB 364 - Representative R. Nelson moved Senate amendments to HB 364 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: None.
Total 0

Excused: Grinde, Whalen.

Total 2

Absent or not voting: Bardanouve, D. Brown, Marks, Squires, Thoft.

Total 5

HB 367 - Representative O'Keefe moved Senate amendments to HB 367 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Kadas, Peterson.

Total 2

Excused: Grinde, Whalen.

Total 2

Absent or not voting: Bardanouve, D. Brown, Marks.

Total 3

Representative O'Keefe resumed the Chair at this time.

HB 394 - Representative Clark moved Senate amendments to HB 394 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Zook, Mr. Speaker.

Total 88

Noes: Campbell, Koehnke, Lee, Schye, Stepler, Wyatt.

Total 6

Excused: Grinde, Whalen.

Total 2

Absent or not voting: Bardanouve, Blotkamp, D. Brown, Gilbert.

Total 4

Representative Grinde present at this time.

HB 413 - Representative Westlake moved Senate amendments to HB 413 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Zook, Mr. Speaker.
Total 94

Noes: Wyatt.
Total 1

Excused: Whalen.
Total 1

Absent or not voting: Blotkamp, Boharski, D. Brown, Grinde.
Total 4

HB 422 - Representative Eudaily moved Senate amendments to HB 422
be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Koehnke, Patterson.
Total 2

Excused: Whalen.
Total 1

Absent or not voting: Bardanouve, Grinde, Menahan.
Total 3

HB 425 - Representative Vincent moved Senate amendments to HB 425
be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Phillips, Quilici,

Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: Owens.

Total 1

Excused: Whalen.

Total 1

Absent or not voting: Peterson.

Total 1

HB 432 - Representative Eudaily moved Senate amendments to HB 432 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Whalen.

Total 1

Absent or not voting: Zook.

Total 1

HB 437 - Representative Gould moved Senate amendments to HB 437 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Whalen.

Total 1

Absent or not voting: None.

Total 0

HB 440 - Representative D. Brown moved Senate amendments to HB 440 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Clark, Hannah, Patterson.

Total 3

Excused: Whalen.

Total 1

Absent or not voting: None.

Total 0

HB 447 - Representative Clark moved Senate amendments to HB 447 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: Brooke, Hannah.

Total 2

Excused: Whalen.

Total 1

Absent or not voting: None.

Total 0

HB 455 - Representative Zook moved Senate amendments to HB 455 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Koehnke, Stang.

Total 2

Excused: Whalen.

Total 1

Absent or not voting: Menahan.

Total 1

HB 458 - Representative Peck moved Senate amendments to HB 458 be concurred in. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Gervais, Giacometto, Good, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Patterson, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, Rehberg, Roth, Russell, Schye, Simon, Simpkins, Spring, Squires, Stang, Stepler, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Zook, Mr. Speaker.

Total 74

Noes: Aafedt, Boharski, Campbell, Connelly, Daily, Ellison, Eudaily, Gilbert, Glaser, Gould, Hayne, Hoffman, Kasten, Mercer, O'Connell, Owens, Peterson, Ramirez, Rice, Smith, Spaeth, Stickney, Westlake, Wyatt.

Total 24

Excused: Whalen.

Total 1

Absent or not voting: Menahan.

Total 1

Representative Harper moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman O'Keefe moved the adoption of the committee report. Report adopted. (86-11)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 125 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Moore, L. Nelson, R. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Russell, Schye, Simon, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 77

Noes: Boharski, Campbell, Clark, Cobb, DeBruycker, Giacometto, Grinde, Guthrie, Hayne, Kasten, Lee, Mercer, T. Nelson, Owens, Patterson, Rice, Roth, Simpkins, Smith, Swift, Thoft, Thomas.

Total 22

Excused: Whalen.

Total 1

Absent or not voting: None.

Total 0

HB 163 passed as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, R. Nelson, T. Nelson, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: Bardanouve, Brooke, Cohen, Davis, Harper, Kimberley, L. Nelson, Nisbet, O'Keefe, Stepler.

Total 10

Excused: Whalen.

Total 1

Absent or not voting: Ellison.

Total 1

HB 202 passed as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, J. Brown, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Glaser, Good, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Rice, Russell, Schye, Spaeth, Spring, Squires, Stepler, Stickney, Strizich, Westlake, Wyatt, Zook, Mr. Speaker.

Total 65

Noes: Bardanouve, Brooke, Campbell, Clark, Cobb, Cody, Davis, Giacometto, Gilbert, Gould, Grinde, Guthrie, Hayne, Hoffman, Iverson, Kasten, Marks, L. Nelson, R. Nelson, Ramirez, Ream, Rehberg, Roth, Simon, Simpkins, Smith, Stang, Swift, Swysgood, Thoft, Thomas, Wallin.
Total 32

Excused: Whalen.
Total 1

Absent or not voting: D. Brown, Johnson.
Total 2

HB 280 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: Owens.
Total 1

Excused: Whalen.
Total 1

Absent or not voting: Peck.
Total 1

HB 293 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Gervais, Glaser, Good, Gould, Guthrie, Hannah, Hansen, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough, Menahan, Moore, L. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, Rice, Russell, Schye, Simpkins, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Thoft, Westlake, Wyatt, Mr. Speaker.
Total 66

Noes: Campbell, Clark, DeBruycker, Ellison, Eudaily, Giacometto, Gilbert, Grinde, Hanson, Hayne, Kasten, Keller, Lee, Marks, Mercer, T. Nelson, Owens, Patterson, Peterson, Phillips, Ramirez, Rehberg, Roth, Simon, Smith, Spring, Swift, Swysgood, Thomas, Wallin, Zook.
Total 31

Excused: Whalen.
Total 1

Absent or not voting: Grady, R. Nelson.
Total 2

HB 475 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Zook, Mr. Speaker.

Total 85

Noes: Campbell, Clark, Daily, Gilbert, Gould, Grinde, Hayne, T. Nelson, Owens, Smith, Spaeth, Spring, Swysgood, Wyatt.

Total 14

Excused: Whalen.

Total 1

Absent or not voting: None.

Total 0

HB 588 passed as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: Bardanouve.

Total 1

Excused: Whalen.

Total 1

Absent or not voting: Cohen.

Total 1

HB 641 passed as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Hannah, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice,

Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Bardanouve, Clark, Cobb, Grinde, Guthrie, Hansen, Raney, Thoft.

Total 8

Excused: Whalen.

Total 1

Absent or not voting: None.

Total 0

HB 664 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Good, Grady, Hansen, Harper, Harrington, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Koehnke, McCormick, McDonough, Menahan, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Roth, Russell, Schye, Simon, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Thomas, Westlake, Wyatt, Zook, Mr. Speaker.

Total 68

Noes: Aafedt, Boharski, Campbell, Clark, Cobb, Giacometto, Glaser, Gould, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Kasten, Keller, Knapp, Lee, Marks, Mercer, R. Nelson, Owens, Rehberg, Rice, Simpkins, Smith, Spring, Swift, Swysgood, Thoft, Wallin.

Total 31

Excused: Whalen.

Total 1

Absent or not voting: None.

Total 0

HB 676 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Clark, Cobb, Giacometto, Hayne, Owens, Spring, Thoft.

Total 7

Excused: Whalen.

Total 1

Absent or not voting: None.

Total 0

HB 690 passed as follows:

Ayes: Aafedt, Addy, Bachini, Boharski, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cohen, Compton, Connelly, Daily, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harrington, Hayne, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, R. Nelson, T. Nelson, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Quilici, Ramirez, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Squires, Stickney, Swysgood, Thomas, Wallin, Westlake, Mr. Speaker.

Total 74

Noes: Bardanouve, Blotkamp, Brooke, Clark, Cody, Darko, Harper, Hoffman, Kadas, Koehnke, L. Nelson, Nisbet, Peck, Phillips, Raney, Ream, Schye, Spring, Stang, Steppler, Strizich, Swift, Thoft, Wyatt, Zook.

Total 25

Excused: Whalen.

Total 1

Absent or not voting: None.

Total 0

HB 699 passed as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Eudaily, Gervais, Giacometto, Gilbert, Good, Gould, Grady, Guthrie, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simpkins, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 76

Noes: Bardanouve, Boharski, Campbell, Clark, Cobb, Cody, Elliott, Ellison, Glaser, Grinde, Hannah, Hayne, Kadas, Lee, Nisbet, Owens, Peterson, Raney, Simon, Smith, Spaeth, Spring, Steppler.

Total 23

Excused: Whalen.

Total 1

Absent or not voting: None.

Total 0

HB 703 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson,

Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Whalen.

Total 1

Absent or not voting: None.

Total 0

HB 752 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Clark, Cobb, Giacometto, Owens, Stepler.

Total 5

Excused: Whalen.

Total 1

Absent or not voting: Darko, Grady.

Total 2

HB 754 passed as follows:

Ayes: Addy, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Daily, Darko, Driscoll, Elliott, Eudaily, Grady, Hannah, Hansen, Harper, Harrington, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Marks, McCormick, McDonough, Menahan, Moore, Nisbet, O'Connell, O'Keefe, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Spaeth, Squires, Stickney, Strizich, Wallin, Wyatt, Mr. Speaker.

Total 49

Noes: Aafedt, Bachini, Boharski, Campbell, Clark, Cobb, Cody, Compton, Davis, DeBruycker, DeMars, Ellison, Gervais, Giacometto, Gilbert, Good, Gould, Grinde, Guthrie, Hanson, Hayne, Hoffman, Kasten, Keller, Knapp, Koehnke, Lee, Mercer, L. Nelson, R. Nelson, T. Nelson, Patterson, Pavlovich, Peck, Peterson, Phillips, Schye, Simpkins, Smith, Spring, Stang, Stepler, Swift, Swysgood, Thoft, Thomas, Westlake, Zook.

Total 48

Excused: Whalen.

Total 1

Absent or not voting: Glaser, Owens.

Total 2

HB 757 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: Campbell, Raney.

Total 2

Excused: Whalen.

Total 1

Absent or not voting: None.

Total 0

HB 761 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peterson, Quilici, Raney, Russell, Schye, Smith, Spaeth, Spring, Squires, Steppler, Stickney, Strizich, Swift, Swysgood, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 76

Noes: Campbell, Clark, Cobb, DeBruycker, Glaser, Hannah, Kasten, Keller, Lee, Marks, Patterson, Peck, Phillips, Ramirez, Ream, Rehberg, Rice, Roth, Simon, Simpkins, Thoft, Thomas.

Total 22

Excused: Whalen.

Total 1

Absent or not voting: Stang.

Total 1

HB 764 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Gervais, Hansen, Harper, Harrington, Johnson, Kadas, Kilpatrick, Kimberley, Koehnke, McCormick, McDonough, Menahan, Moore, L. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck,

Quilici, Raney, Ream, Russell, Schye, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Westlake, Whalen, Wyatt, Mr. Speaker.
Total 52

Noes: Aafedt, Boharski, Campbell, Clark, Cobb, Compton, DeBruycker, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Iverson, Kasten, Keller, Knapp, Lee, Marks, Mercer, R. Nelson, T. Nelson, Owens, Patterson, Peterson, Phillips, Ramirez, Rehberg, Rice, Roth, Simon, Simpkins, Smith, Spring, Swift, Swysgood, Thoft, Thomas, Wallin, Zook.
Total 48

Paired: Whalen, Aye; Hannah, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 766 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Swift, Swysgood, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: Clark, Cody, Good, Grinde, Guthrie, Lee, R. Nelson, Thoft.
Total 8

Excused: Whalen.
Total 1

Absent or not voting: None.
Total 0

HB 783 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: Campbell, Cohen, Grinde, Hayne, McDonough, Ramirez, Simon, Thomas.

Total 8

Excused: Whalen.

Total 1

Absent or not voting: None.

Total 0

HB 791 passed as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Compton, Daily, Darko, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, O'Connell, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 79

Noes: Bardanouve, Cody, Cohen, Connelly, Davis, DeBruycker, DeMars, Elliott, Gervais, Good, Grinde, Guthrie, Harper, Kilpatrick, Lee, Nisbet, O'Keefe, Peck, Ream.

Total 19

Excused: Whalen.

Total 1

Absent or not voting: Spaeth.

Total 1

REPORTS OF STANDING COMMITTEES

TAXATION (Harrington, Chairman):

3/30/89

SB 283, third reading copy, be amended as follows:

1. Title, line 6.

Strike: "UNTIL JUNE 30, 1993"

Insert: "THROUGH DECEMBER 31, 1991; TO AUTHORIZE COAL SEVERANCE TAX CREDIT FOR A QUALIFIED CAPITAL COMPANY THROUGH DECEMBER 31, 1991"

2. Page 2, line 11.

Strike: "June 30"

Insert: "December 31"

Strike: "\$3"

Insert: "\$1.5"

3. Page 2, lines 14 through 18.

Following: "companies." on line 14

Strike: remainder of line 14 through line 18 in their entirety

4. Page 3, line 14.

Strike: "or"

Insert: ", "

Following: "31"

Insert: ", or 35"

5. Page 3, line 19.

Following: "liability"

Insert: "or coal severance tax liability"

6. Page 4, line 4.

Strike: "5"

Insert: "3 ½"

And, as amended, be concurred in. Report adopted.

SB 392, be concurred in. Report adopted.

SB 461, be concurred in. Report adopted.

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on House Bill 496
Report No. 1, March 28, 1989

Mr. President and Mr. Speaker:

We, your Free Conference Committee on HB 496, considered and recommend HB 496 (reference copy — salmon) be amended as follows:

1. Page 2, line 22.

Strike: "policy"

Insert: "planning"

Strike: "(1)"

2. Page 2, line 23.

Strike: "policy"

Insert: "planning"

3. Page 2, line 24.

Strike: "president"

Insert: "secretary"

Strike: "(A)"

Insert: "(1)"

Renumber: subsequent subsections

4. Page 2, line 25.

Strike: "MEMBER"

Insert: "representative"

Strike: "HIM"

Insert: "the president"

5. Page 3, line 1.

Strike: "speaker"

Insert: "chief clerk"

6. Page 3, line 2.

Strike: "MEMBER"

Insert: "representative"

7. Page 3, line 3.

Strike: "HIM"

Insert: "the speaker"

8. Page 3, lines 4 and 5.

Strike: "chairmen of the committees on legislative administration"

Insert: "sergeants-at-arms"

9. Page 3, lines 7 through 9.

Strike: "AND ONE OTHER" on line 7 through "CHAIRMAN" on line 9

Insert: "or another representative of each house designated by the chairman of the legislative administration committee of that house"

10. Page 3, line 11.

Following: "~~council~~"

Insert: ", who shall chair the planning council"

11. Page 3, line 20.

Following: "COUNCIL"

Insert: ", who shall serve as a nonvoting member of the planning council"

12. Page 3, lines 21 through 23.

Strike: lines 21 through 23 in their entirety

13. Page 3, line 25.

Strike: "policy"

Insert: "planning"

14. Page 4, line 1.

Strike: "policy"

Insert: "planning"

15. Page 4, line 3.

Strike: "policy"

Insert: "planning"

16. Page 5, line 10.

Strike: "policy"

Insert: "planning"

17. Page 5, line 11.

Strike: "policy"

Insert: "planning"

18. Page 5, line 14.

Strike: "policies"

Insert: "standards"

Strike: "policy"

Insert: "planning"

19. Page 5, line 16.

Strike: "policy"

Insert: "planning"

20. Page 5, line 18.

Strike: "policy"

Insert: "planning"

21. Page 5, line 24.

Following: line 24

Insert: "NEW SECTION. Section 5. Legislative branch computer system plan — adoption of standards. The legislative branch computer system plan must be approved and adopted jointly by the legislative administration committees of the senate and the house of representatives."

Renumber: subsequent sections

22. Page 6, line 4.

Strike: "by"

Insert: "in"

23. Page 6, line 5.

Strike: "policy council that are"

Insert: "plan"

We urge that this Conference Committee Report be adopted.

For the Senate:

Gage, Chairman
Mazurek
Story

For the House:

Nisbet
R. Nelson
Strizich

Report adopted.

MESSAGES FROM THE GOVERNOR

John Vincent
Speaker of the House
Montana House of Representatives
State Capitol
Helena, Montana 59620

March 30, 1989

Dear Representative Vincent:

Please be informed that I have signed House Bills 171, 344, 406, 471, 492, 541, 620, and 744 on March 30, 1989.

Sincerely,

STAN STEPHENS
Governor

MESSAGES FROM THE SENATE

Senate bill passed and transmitted to the House for concurrence: 3/30/89

SB 468, introduced by Harp

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following Senate bill was introduced, read first time, and referred to committee:

SB 468, introduced by Harp, Driscoll, Nathe, referred to Committee on Taxation

MOTIONS

Representative Harper moved the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 28. Motion carried.

Speaker Vincent appointed the following members:

Representative Harrington, Chairman
Representative Driscoll
Representative Smith

Representative Hansen moved she be allowed to change her vote on HB 752, third reading, from no to yes. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved the House adjourn until 12:00 noon, Friday, March 31, 1989.

Motion carried.

House adjourned at 5:20 p.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

SEVENTY-SECOND LEGISLATIVE DAY

Helena, Montana
March 31, 1989

House Chambers
State Capitol

House convened at 12:07, Mr. Speaker in the Chair. Invocation by Representative Stickney. Pledge of Allegiance to the Flag.

Roll call. All members present except Brooke, Moore, and Zook, excused. Quorum present.

After being presented to the members of the House by Speaker Vincent, U.S. Senator Conrad Burns was escorted to the rostrum by Representatives Harper, Ramirez, Giacometto, and Rehberg and gave the following address:

Thank you very much. Mr. Speaker and Members of the House of Representatives of the State of Montana. It's nice to be here today. I think I'm probably as nervous now as I was the first day I made my first speech on the floor of the United States Senate. This is an august group.

It's nice to be back home. After a couple of months in Washington, D.C., and seeing the problems that we have there and then reading in the newspapers and then watching the press work on this organization here, it seems like we've all got the same problems. We're dealing with the same issues, not only in the State of Montana, but also across the nation.

I am the most freshman of one hundred in Washington. The press would like to make light of that. Everything is done by seniority, including the seating in the United States Senate.

Just after Christmas our family drove back to Washington. As you know, it was storming the day after Christmas. The storm went all the way across the United States. So we were lucky enough to drive in the same darn storm all the way across this country, 2100 miles. We got into Indiana and our daughter bought a USA Today. It had the seating arrangements of the United States Senate. She graduates from Sky View High School this year, and we're proud of her. She said, "Dad, by the time they get to you in this article, you'll be seated so far back in the corner that the only thing the television cameras will be able to see is the top of your head." She got a kick out of that. I told her, "Keely, you have to remember, politicians live by ink, be it good or be it bad." They had mentioned the seating for the majority leader, Senator Mitchell of Maine, where the seat would be for the minority leader, Senator Dole of Kansas, and also where the seating may be for the one hundredth, Senator Burns of Montana. They didn't mention 94, 47, 33; they only mentioned three of us. So this is working out okay. Even the national press get a big kick out of it, too. So it's not all that bad.

After three months, you get the same question everywhere you go . . . your impressions of Washington. I always tell the story and you may have heard it before, but I'll tell it again today. A long time ago in 1962, when I first moved to Montana I met a couple of fellows down on the Stillwater River. I helped them work some cattle and we had about 300 head of steers. We crossed the Stillwater River, right at the mouth of it. We put the cattle in the corrals and were resting the horses and smoking a cigarette. An old cowboy that had working for Johnny Miller for a long time said, "Conrad, do you see that old log floating down the Stillwater River?" And I said, "Yes, I sure do." He said, "Do you realize that on that log there's 10,000 ants? And every one of them thinks they're steering it!" That's my impression of Washington, D.C. After reading the press, it could

also be equated to other areas in our country as well; it doesn't just pertain to Washington.

I've never seen so many important people in my life. Doors are banging, phones are ringing and pretty soon you start figuring out the systems and you fall into step with that. And that's what we want to do.

It may be ironic, but as we celebrate our centennial year here in the State of Montana, we are celebrating the bicentennial of the Congress. I would like for you to go with me a couple of minutes back in the 200 year history of this country. Right now we have an administration in place; we have rules that we operate with both in the House of Representatives and in the United States Senate, with everything laid out. When you go there, you start putting your staff together and you start getting into the issues and learning the process of legislation. Please go with me back 200 years when the 1st Congress met on May 4, 1789. There were 26 Senators and 59 Congressmen elected to that first Congress. When they met on that day in the Federalist Building in New York City, there wasn't even a President yet. He had been elected, but he had not been sworn in. There was no administration; there were no clerks or committees; no rules of the body had been written . . . by the way they didn't get a quorum until April 1st. Washington didn't get there until that time and then was sworn in.

The only thing that they had was one little piece of paper. It was called the Constitution of the United States of America. A brand new idea. A new way of directing the affairs of a country with no ground rules. If it's awesome for me as a freshman Senator to walk on the floor of the most august group of people there is in the world, think what it must have been back then. There's only been 1100 Senators in the 200 year history of that body.

Once they had the first quorum on April 1st, you know what the first debate was? Congressional pay. Two hundred years and things haven't changed a bit. We walked right into it again. But the work there is wonderful. And it's great to represent this great state.

I want to bring you up to date on where I am and the committees I serve on and I want you to be aware so you can use us and our staff and because we think they're important assignments. We think we're important for Montana. The bread and butter committee of the United States Senate is the Commerce Committee. Commerce, Sciences and Transportation has the broadest responsibilities of any committee in the United States Congress. NASA, research and development in the sciences, all forms of communications including radio, television, telephone, FCC and so forth, and transportation, both surface, air and pipeline are handled by this bread and butter committee.

The second committee is Energy and Natural Resources. A footnote here is that this is a natural. Montana is a land of public lands and natural resources. I serve on several subcommittees you might be interested in. I'm on the Commerce Committee, Foreign Commerce and Tourism, Ground Transportation and Communications. I'm on Energy Research and Development which is very important to us. I'll talk about that in a little bit. Public Lands of which the government owns more of Montana than we do. I'm ranking on Water and Power. Because we are a state of small businesses, mom and pop shops if you will, I serve on the Small Business Committee that has responsibility to the Small Business Administration, Rural Development and Urban and Minority Businesses for our Native Americans.

There's enough work to do right there, but the other day I was put on another committee and it will be baptism by fire. We heard for the first time an impeachment proceeding. We are impeaching a federal judge from south Florida who conspired with some other folks who have already gone to jail for a bribe in a drug case in south Florida. Senator Kerrey from Nebraska and myself are the only ones who are not lawyers. As you know the House of Representatives impeaches but the Senate must try him. After we heard the judge and his attorney before the Senate we went into Executive Session. We closed the doors and turned the microphones off and everyone must leave the gallery and began to debate whether we should proceed with this or not. We decided to proceed. After that we formed a 12 man committee to hear the evidence and recommend back to the United States Senate the action that has to be taken. When they read off my name I got a little shaken. I went down to the majority leader, Senator Mitchell of Maine, and told him I wasn't an attorney and was so green I wouldn't burn and said I wasn't sure if I should be serving on this panel. He told me that because I was so green and wasn't an attorney was the very reason I was on the panel. He was a judge before he became a Senator. He told me I'd be sick of lawyers before I was done. I told him I didn't think it would take that long! I was trying to get off of this thing because it's going to take twelve weeks. By the way we're operating in a city where there's one lawyer for every twenty people. That's a little heavy.

I told him that I didn't think I'd have time for this, but he said it didn't make any difference, we want you to serve on it and we think you'll serve rather well and we're proud of you. I went to the Minority Leader, Senator Dole, and made the same plea which fell on the same deaf ear. Finally I turned around to the Majority Leader and said, "I think he's guilty." He said, "That's not gonna work either."

I was born in a family that voted a straight Democratic ticket down in northwest Missouri. If there is one thing that makes this event so important, it's my folks, and God granted them long enough life that they could see something like this happen. Dad is 83 and Mom is 80 and I wanted them to come back to Washington for the swearing in. I called them and told them to drive to Kansas City and in an hour and a half you're in Washington, D.C. It will be a wonderful event. Dad said, "What do you mean fly?" I said that I thought they should fly since it was winter time. He asked me, "What do you think I bought this car for?" So they drove back. It was a dynamite thing. It was a thing of great pride for me because I think that everyone of us in our families mean the most to us of anything that we do in our lives. It goes into our thoughts whenever you talk about legislation and things that we do that tears at the family fabric.

After the swearing in they take you to another room where they take some photographs. My mom is still very active in the Democratic party. My dad still thinks that Harry Truman was the Lord and when you die you go to Independence. They live in Missouri on 180 acres and got us all started and they didn't do bad. Mom served on the State Democratic Committee under Governor Warren Hearns. Vice President Bush knew that and he walked over to my mom and said, "Mrs. Burns, Conrad tells me that you're a pretty good Democrat in Missouri." Mom is a little short lady and her glasses were down on her nose and she said, "That's right, Mr. Bush. I didn't vote for you, but I like you." Any relationship I had with the White House at that time went right out the window! It was a dynamite event as far as I was concerned. I have a 13 year old son who was asked by a reporter what it meant to his family. He looked up and said, "Dad is going to be in the Encyclopedia." It's wonderful.

There are some things coming up that will affect Montana. Legislation has got to be addressed. Clean air and acid rain will need to be addressed. We are going to have a clean air bill. We are going to have a national energy policy if we can formulate one that's fair. But that will come out of the Energy Committee. Montana is going to play a very big role in that for the simple reason that here is the possibility of more sales of low sulfur coal. The research that is going on in Butte at MHD for so long will be put to use and put on line and start getting some rewards for the State of Montana. Acid rain is a concern. The ozone is a concern. We are going to play a big part in that legislation. We're going to tell the story of Montana.

Several other issues...the wilderness issue will continue to be with us. We got our maps a couple of weeks ago. We're working on our own side of the bill. But the delegation that represents Montana will meet for breakfast next Wednesday morning with me. Sometimes it gets a little trying, but we work it through. We will sit down and hammer out what is right for Montana.

It was never on the agenda for this state, but it has to be put on the agenda as the social and economic impact of individuals and communities in those areas that will be most affected, closest to the fire. Those areas have to be on the agenda. They are going to be on the agenda; I don't care if it takes us two years to hammer this out. They will have their place on the agenda. It is important to those communities and those individuals and it's important to the State of Montana. And it's important to eastern Montana because it will set up and give us some idea on our attitude toward public lands.

I spoke to a group the other day and a young lady told me I was anti-wilderness. I told her I wasn't. I'll tell her what I told Ted Kennedy at a party in Georgetown the other night. He told me that they were worried about the wilderness bill because he had legislation too. He asked me what my attitude about it was. I told him that we have seven or eight spots that we need more wilderness, four of them are in Massachusetts, one in West Virginia, two in Texas and one in Iowa. That's what I told this young lady and she asked me where in Iowa I was talking about. I told her everything east of Des Moines, south of Minnesota, north of Missouri, clear to the Mississippi River. She told me she lived in Cedar Rapids. I asked her how it felt to be able to drive to Moline and pack into Cedar Rapids. When it happens in their backyard it tells a different story; but that's what we have to do and that's the only way I know to relay that to the people who are concerned about public lands.

We don't have to read the newspapers or watch our television shows to do what we were elected to do. Our goals are the same as they were last November... to deal with a bloated national deficit and trade deficit. To deal with the bloated cost of federal government operations and watch the infringements upon state's rights. And the old war on drugs is renewed. You probably saw that Wednesday on television. We are going to take the profit out of these drugs, but it will take new law enforcement and a new thrust and new energies and ideas. We're going to take that bank in Atlanta. We're going to take the profit out of the white blizzard that is a cancer upon our young people. We're going to do it because we're going to take the money away from them. This will get their attention. Dick Thornburg, the Attorney General, is doing this very thing. He has sessions with the FBI, Mr. Bennett and Treasury and DEA and states they will not allow any more turf wars. They are going to get it done. The attitude is great and welcomed.

We need to position Montana to go into the twentieth century. We're seeing the end of the industrial age. We're moving into the information age. Exciting things are happening in technology, fiber optic networks, and high definition television. Where does it lead? It will result in pressures on communication systems. I tell the young people of this country to prepare themselves because right now we're like two trains traveling down parallel tracks that are going the same speed. But you better get over on this train right here because it's powered by a different engine. And when that thing starts to move out it will move awfully fast. It will take as many people as possible. The jobs will be plentiful. They may dress a little different and their vernacular will be different but we're going to move into the information age. It's going to be exciting, but it's going to be rapid. We must prepare our younger generation to take part in that great technology explosion. It's happening right before our eyes.

This is all up to us. It's up to us who are elected to represent their communities in taking political courage. We need to make the hard decisions, to make the hard vote. Knowing that sometimes that vote won't be the most popular vote but it is the right vote. That's why we were elected. Now is the time we roll up our sleeves and we look at things for the State of Montana instead of our own little world. We must do what is best for this land and the United States of America.

We who stand in this room are but a chain that pulls this state. The bad part of it is that we are only as strong as the weakest link. You are great people. You have a great calling. On you our future lies, along with our future generation. We are now at a place where we have great moments of decisions.

God bless you and thank you for having Conrad Burns here today. Thank you very much.

Senator Burns then retired from the House chamber.

Representatives Ramirez, Rehberg, and Giacometto excused at this time.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

3/31/89

Correctly printed: HB 792.

Correctly engrossed: HJR 31, HJR 32, HJR 33, HJR 34, HJR 36.

Delivered to the Governor for his approval at 9:30 a.m.,
3/31/89: HB 274, HB 395, HB 571, HB 572, HB 592, HB 602,
HB 606, HB 656, HB 667, HB 704.

MOTIONS

Representatives Giacometto, Ramirez, and Rehberg excused at this time.

Representative Zook present at this time.

Representative Daily moved SB 114 be taken from the table in the Committee on State Administration and be printed and placed on second reading on the 75th legislative day. Motion failed. (38-49)

Representative Mercer moved consideration of HB 785 be postponed until the 74th legislative day. Motion carried.

Representatives Cobb and Grinde excused at this time.

Representative Wallin moved the House reconsider its action on HJR 35 taken on second reading the previous legislative day. Motion carried.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative R. Nelson in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Representative Whalen excused at this time.

HB 496 - Representative Nisbet moved the conference committee report on HB 496 be adopted. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Boharski, Bradley, D. Brown, J. Brown, Campbell, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 86

Noes: None.

Total 0

Excused: Brooke, Cobb, Giacometto, Grinde, Moore, Ramirez, Rehberg, Whalen.

Total 8

Absent or not voting: Blotkamp, Clark, Cody, Eudaily, Marks, Ream.

Total 6

HB 301 - Representative Bardanouve moved consideration of Senate amendments to HB 301 be passed for the day. Motion carried.

HB 483 - Representative Driscoll moved Senate amendments to HB 483 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Raney, Ream, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: None.

Total 0

Excused: Brooke, Cobb, Giacometto, Grinde, Moore, Ramirez, Rehberg, Whalen.

Total 8

Absent or not voting: Bardanouve, Cody, Eudaily, Kadas, Quilici.

Total 5

Representatives Cobb and Moore present at this time.

HB 486 - Representative Grady moved Senate amendments to HB 486 be concurred in. Motion failed as follows:

Ayes: Addy, Bardanouve, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, Driscoll, Elliott, Gervais, Grady, Hansen, Harper, Harrington, Johnson, Kadas, Kilpatrick, Kimberley, McCormick, McDonough, Moore, Nisbet, O'Connell, O'Keefe, Pavlovich, Quilici, Raney, Ream, Russell, Spaeth, Squires, Stang, Stickney, Strizich, Wyatt, Mr. Speaker.

Total 41

Noes: Aafedt, Bachini, Blotkamp, Boharski, Campbell, Clark, Cobb, Compton, DeBruycker, DeMars, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Guthrie, Hannah, Hanson, Hayne, Hoffman, Iverson, Kasten, Keller, Knapp, Koehnke, Lee, Marks, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Owens, Patterson, Peck, Peterson, Phillips, Ramirez, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Smith, Spring, Stepler, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Zook.

Total 56

Paired: Addy, Brooke, Kadas, Quilici, Ayes; Giacometto, Hannah, Ramirez, Rehberg, Noes.

Excused: Grinde, Whalen.

Total 2

Absent or not voting: Cody.

Total 1

Representative Harper moved Senate amendments to HB 486 be not concurred in. Motion carried as follows:

Ayes: Aafedt, Bachini, Boharski, D. Brown, Campbell, Clark, Cobb, Compton, DeBruycker, DeMars, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Guthrie, Hannah, Hanson, Hayne, Hoffman, Iverson, Kasten, Keller, Knapp, Koehnke, Lee, Marks, Mercer, L. Nelson, R. Nelson, T. Nelson, Owens, Patterson, Peck, Peterson, Phillips, Ramirez, Rehberg, Rice, Roth, Simon, Simpkins, Smith, Spring, Stepler, Swift, Swysgood, Thoft, Thomas, Wallin, Zook.

Total 53

Noes: Addy, Bardanouve, Blotkamp, Bradley, Brooke, J. Brown, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, Driscoll, Elliott, Gervais, Grady, Hansen, Harper, Harrington, Johnson, Kadas, Kilpatrick, Kimberley, McCormick, McDonough, Menahan, Moore, Nisbet, O'Connell, O'Keefe, Pavlovich, Quilici, Raney, Ream, Russell, Schye, Spaeth, Squires, Stang, Stickney, Strizich, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 45

Paired: Giacometto, Hannah, Marks, Ramirez, Rehberg, Ayes; Addy, Brooke, Kadas, Quilici, Whalen, Noes.

Excused: Grinde.

Total 1

Absent or not voting: Cody.

Total 1

HB 489 - Representative Rice moved Senate amendments to HB 489 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: Swysgood, Thoft.

Total 2

Excused: Brooke, Giacometto, Grinde, Ramirez, Rehberg, Whalen.

Total 6

Absent or not voting: D. Brown, Cody, Grady, Knapp, Patterson.

Total 5

Representative Grinde present at this time.

HB 495 - Representative Strizich moved Senate amendments to HB 495 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 85

Noes: Campbell, Hannah, Smith, Stepler, Swysgood, Thoft.

Total 6

Excused: Brooke, Giacometto, Ramirez, Rehberg, Whalen.

Total 5

Absent or not voting: D. Brown, Cobb, Grinde, Marks.

Total 4

HB 518 - Representative Stickney moved Senate amendments to HB 518 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten,

Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: Boharski, Hannah, Stepler.

Total 3

Excused: Brooke, Giacometto, Ramirez, Rehberg, Whalen.

Total 5

Absent or not voting: D. Brown, Cobb, Gilbert, Marks, Owens.

Total 5

Representative Whalen present at this time.

HB 536 - Representative J. Brown moved Senate amendments to HB 536 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 86

Noes: Boharski, Campbell, Glaser.

Total 3

Excused: Brooke, Giacometto, Ramirez, Rehberg.

Total 4

Absent or not voting: D. Brown, Cobb, Gilbert, Kadas, Marks, Menahan, Owens.

Total 7

HB 542 - Representative Guthrie moved Senate amendments to HB 542 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: None.
Total 0

Excused: Brooke, Giacometto, Ramirez, Rehberg.
Total 4

Absent or not voting: D. Brown, Marks, Menahan, Stepler.
Total 4

HB 544 - Representative Rice moved Senate amendments to HB 544 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: None.
Total 0

Excused: Brooke, Giacometto, Ramirez, Rehberg.
Total 4

Absent or not voting: D. Brown, Eudaily, Marks, Menahan, Schye, Stepler.
Total 6

Representatives Giacometto, Ramirez, and Rehberg present at this time.

HB 561 - Representative Addy moved Senate amendments to HB 561 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: Simpkins, Swysgood, Thoft.
Total 3

Excused: Brooke.
Total 1

Absent or not voting: Bardanouve, Bradley, Ellison, Eudaily, Kadas.
Total 5

HB 576 - Representative Roth moved Senate amendments to HB 576 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.
Total 89

Noes: Cobb, Giacometto.
Total 2

Excused: Brooke.
Total 1

Absent or not voting: Bardanouve, Bradley, D. Brown, Eudaily, Kadas, R. Nelson, Owens, Wyatt.
Total 8

HB 577 - Representative Simon moved Senate amendments to HB 577 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.
Total 93

Noes: None.
Total 0

Excused: Brooke.
Total 1

Absent or not voting: Bardanouve, D. Brown, Eudaily, Menahan, Owens, Wyatt.
Total 6

HB 593 - Representative Russell moved Senate amendments to HB 593 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison,

Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Brooke.

Total 1

Absent or not voting: Bardanouve, D. Brown, Menahan, R. Nelson, Roth, Wyatt.

Total 6

HB 595 - Representative Russell moved Senate amendments to HB 595 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Clark.

Total 1

Excused: Brooke, Cohen.

Total 2

Absent or not voting: Bardanouve, D. Brown, Iverson, Menahan, Owens.

Total 5

HB 597 - Representative Darko moved Senate amendments to HB 597 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Cocchiarella, Cody, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grady, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 84

Noes: Campbell, Clark, Cobb, Grinde, Hannah, Kasten, Swift.

Total 7

Excused: Brooke, Cohen.

Total 2

Absent or not voting: Bardanouve, Daily, Gould, Kadas, Mercer, Pavlovich, Thomas.

Total 7

HB 616 - Representative DeMars moved Senate amendments to HB 616 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Campbell, Clark, Cobb, Grady, Owens.

Total 5

Excused: Brooke, Cohen.

Total 2

Absent or not voting: Bardanouve, Kadas, Whalen.

Total 3

HB 621 - Representative T. Nelson moved Senate amendments to HB 621 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Brooke, Cohen.

Total 2

Absent or not voting: Bardanouve, Kadas, Stepler.

Total 3

HB 626 - Representative Whalen moved Senate amendments to HB 626 be not concurred in. Motion carried as follows:

Ayes: Addy, Bachini, Blotkamp, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Connelly, Daily, Darko, Davis, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Guthrie, Hansen, Harrington, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough, Menahan, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Quilici, Raney, Ream, Russell, Schye, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 63

Noes: Aafedt, Boharski, Bradley, Campbell, Clark, Compton, DeBruycker, DeMars, Ellison, Grinde, Hannah, Hanson, Harper, Hayne, Hoffman, Iverson, Kasten, Keller, Lee, Marks, Mercer, Owens, Peterson, Phillips, Ramirez, Rehberg, Rice, Roth, Simon, Simpkins, Smith, Swift, Thomas, Zook.

Total 34

Paired: Brooke, Aye; Bradley, No.

Excused: Cohen.

Total 1

Absent or not voting: Bardanouve, Gilbert.

Total 2

HB 630 - Representative Koehnke moved Senate amendments to HB 630 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, J. Brown, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: Campbell, Hannah, Kasten, Marks, Owens, Peterson.

Total 6

Excused: Brooke, Cohen.

Total 2

Absent or not voting: Bardanouve, D. Brown, Gilbert, Thomas.

Total 4

Representative Clark excused at this time.

HB 645 - Representative Addy moved Senate amendments to HB 645 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko,

Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: Hanson, Hayne, Spring.

Total 3

Excused: Brooke, Clark, Cohen.

Total 3

Absent or not voting: Bardanouve, D. Brown, Ellison, Gilbert, Marks, Roth.

Total 6

HB 647 - Representative Kadas moved Senate amendments to HB 647 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, J. Brown, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: Campbell, Grinde, Kasten.

Total 3

Excused: Brooke, Clark, Cohen.

Total 3

Absent or not voting: Bardanouve, D. Brown, Ellison, Gilbert, Johnson.

Total 5

HB 651 - Representative Spaeth moved Senate amendments to HB 651 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler,

Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.

Total 84

Noes: Bradley, Campbell, Darko, Davis, DeBruycker, Kilpatrick, O'Keefe, Peterson, Raney, Schye, Wyatt.

Total 11

Excused: Brooke, Clark, Cohen.

Total 3

Absent or not voting: Bardanouve, Driscoll.

Total 2

HB 655 - Representative Harper moved Senate amendments to HB 655 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Campbell, Kadas.

Total 2

Excused: Brooke, Clark, Cohen.

Total 3

Absent or not voting: Bardanouve, Driscoll, Owens.

Total 3

HB 657 - Representative Owens moved Senate amendments to HB 657 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Brooke, Clark, Cohen.

Total 3

Absent or not voting: Bardanouve, Driscoll, Quilici.

Total 3

HB 668 - Representative McDonough moved Senate amendments to HB 668 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Brooke, Clark, Cohen.

Total 3

Absent or not voting: Bardanouve, Grinde, Patterson.

Total 3

HB 671 - Representative Patterson moved Senate amendments to HB 671 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Compton, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Campbell.

Total 1

Excused: Brooke, Clark, Cohen.

Total 3

Absent or not voting: Bardanouve, Connelly, Grinde, Marks, Menahan, Swift.

Total 6

HB 682 - Representative O'Keefe moved Senate amendments to HB 682 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais,

Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Brooke, Clark, Cohen.

Total 3

Absent or not voting: Bardanouve, Ellison, Grinde, Menahan, Owens.

Total 5

HB 691 - Representative Simpkins moved Senate amendments to HB 691 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Simon.

Total 1

Excused: Brooke, Clark, Cohen.

Total 3

Absent or not voting: Bardanouve, Grinde, Menahan, Owens.

Total 4

HB 700 - Representative Pavlovich moved Senate amendments to HB 700 be not concurred in. Motion carried as follows:

Ayes: Aafedt, Bachini, Blotkamp, Boharski, D. Brown, Campbell, Cody, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Glaser, Grady, Grinde, Hannah, Hansen, Hanson, Harrington, Hayne, Hoffman, Johnson, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, Menahan, Mercer, Moore, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Rehberg, Russell, Schye, Spring, Squires, Stang, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook.

Total 63

Noes: Addy, Bradley, Brooke, J. Brown, Cobb, Cocchiarella, DeBruycker, Eudaily, Gilbert, Good, Gould, Guthrie, Harper, Iverson, Kadas, Kasten,

Lee, Marks, McDonough, L. Nelson, R. Nelson, T. Nelson, Owens, Ramirez, Ream, Rice, Roth, Simon, Simpkins, Smith, Spaeth, Steppler, Stickney, Mr. Speaker.

Total 34

Paired: Driscoll, Aye; Brooke, No.

Excused: Clark, Cohen.

Total 2

Absent or not voting: Bardanouve.

Total 1

HB 701 - Representative Swysgood moved Senate amendments to HB 701 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Brooke, Clark, Cohen.

Total 3

Absent or not voting: Bardanouve, Grinde, Menahan.

Total 3

HB 720 - Representative Giacometto moved Senate amendments to HB 720 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Campbell, Guthrie.

Total 2

Excused: Brooke, Clark, Cohen.

Total 3

Absent or not voting: Bardanouve, Grinde, Menahan.

Total 3

HB 727 - Representative Marks moved Senate amendments to HB 727 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Brooke, Clark, Cohen.

Total 3

Absent or not voting: Bardanouve, Grinde, Menahan.

Total 3

HB 734 - Representative Thomas moved Senate amendments to HB 734 be not concurred in. Motion carried as follows:

Ayes: Aafedt, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cody, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Knapp, Koehnke, Lee, Marks, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 82

Noes: Addy, Bachini, Cocchiarella, Elliott, Glaser, Kimberley, McCormick, Peck, Raney, Stang, Stepler.

Total 11

Excused: Brooke, Clark, Cohen.

Total 3

Absent or not voting: Bardanouve, Daily, Menahan, Pavlovich.

Total 4

HJR 23 - Representative Cobb moved Senate amendments to HJR 23 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cody, Compton, Connelly, Daily, Darko, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper,

Harrington, Hayne, Iverson, Johnson, Kasten, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Rehberg, Rice, Russell, Schye, Simpkins, Smith, Spaeth, Squires, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.
Total 77

Noes: Cocchiarella, Davis, Driscoll, Kadas, Moore, O'Keefe, Raney, Ream, Simon, Spring, Stang.
Total 11

Excused: Brooke, Clark, Cohen.
Total 3

Absent or not voting: Bardanouve, Boharski, Grady, Hoffman, Keller, Marks, Menahan, Roth, Wyatt.
Total 9

SB 283 - Representative Giacometto moved consideration of SB 283 be passed for the day. Motion carried.

SB 392 - Representative Ream moved SB 392 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.
Total 92

Noes: Elliott, Stepler.
Total 2

Excused: Brooke, Clark, Cohen.
Total 3

Absent or not voting: Bardanouve, Grady, Wyatt.
Total 3

SB 461 - Representative Harrington moved consideration of SB 461 be passed for the day. Motion failed.

Representative Driscoll moved SB 461 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens,

Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Brooke, Clark, Cohen.

Total 3

Absent or not voting: Grady.

Total 1

SJR 17 - Representative Simon moved SJR 17 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, J. Brown, Campbell, Cobb, Cocchiarella, Compton, Connelly, Daily, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Cody, Darko, Peterson.

Total 3

Excused: Brooke, Clark, Cohen.

Total 3

Absent or not voting: Bardanouve, D. Brown, Nisbet.

Total 3

HJR 35 - Representative Wallin moved HJR 35, second reading copy, be amended as follows:

1. Title, lines 7 and 8.

Strike: "REESTABLISH OFFICIAL GOVERNMENT"

Insert: "MAINTAIN ACTIVE AND CORDIAL"

2. Page 2, line 1.

Strike: "reestablish official government"

Insert: "maintain active and cordial"

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, DeBruycker, DeMars, Driscoll, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson,

T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Davis, Kimberley.

Total 2

Excused: Brooke, Clark, Cohen.

Total 3

Absent or not voting: Elliott, Strizich.

Total 2

Representative Wallin moved HJR 35, as amended, do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Compton, Daily, Darko, DeBruycker, DeMars, Driscoll, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 85

Noes: Bardanouve, Cody, Connelly, Davis, Harper, Kimberley, O'Connell, O'Keefe, Raney, Schye, Stickney.

Total 11

Excused: Brooke, Clark, Cohen.

Total 3

Absent or not voting: Elliott.

Total 1

Representative Harper moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman R. Nelson moved the adoption of the committee report. Report adopted. (94-1)

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

3/31/89

Examined by the sponsor and found to be correct:

HB 750 - Quilici

Correctly enrolled: HB 750.

Signed by the Speaker at 1:20 p.m., 3/31/89: SB 18, SB 67, SB 87, SB 130, SB 168, SB 178, SB 209, SB 315, SB 353, SB 372, SB 398, SB 399, SB 426, SB 433, SB 442, SB 444, SB 452.

TAXATION (Harrington, Chairman):

3/31/89

SB 137, be concurred in. Report adopted.

SB 257, be concurred in. Report adopted.

**FIRST READING AND COMMITMENT
OF BILLS AND RESOLUTIONS**

The following House bill was introduced, read first time, and referred to committee:

HJR 37, introduced by Menahan, Blotkamp, Bardanouve, referred to Committee on Legislative Administration

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 58, conference committee report, adopted as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Brooke, Clark.

Total 2

Absent or not voting: Knapp, Owens, Smith.

Total 3

HB 87, conference committee report, adopted as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Guthrie, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Schye, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Westlake, Wyatt, Zook, Mr. Speaker.

Total 82

Noes: Boharski, Campbell, Grinde, Hannah, Hayne, Kasten, Lee, Peterson, Rice, Simon, Simpkins, Swift, Swysgood, Wallin, Whalen.

Total 15

Excused: Brooke, Clark.

Total 2

Absent or not voting: Good.

Total 1

SB 77, conference committee report, adopted as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Elliott, Ellison, Eudaily, Gervais, Gilbert, Good, Grady, Guthrie, Hansen, Harper, Harrington, Hayne, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, McCormick, McDonough, Menahan, Moore, L. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Raney, Ream, Rice, Russell, Schye, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Wyatt, Mr. Speaker.

Total 57

Noes: Aafedt, Boharski, Campbell, Cobb, Compton, DeBruycker, Driscoll, Giacometto, Glaser, Gould, Grinde, Hannah, Hanson, Hoffman, Iverson, Kasten, Keller, Lee, Marks, Mercer, R. Nelson, T. Nelson, Owens, Patterson, Peterson, Phillips, Quilici, Ramirez, Rehberg, Roth, Simon, Simpkins, Swift, Swysgood, Thoft, Thomas, Wallin, Whalen, Zook.

Total 39

Excused: Brooke, Clark.

Total 2

Absent or not voting: Koehnke, Westlake.

Total 2

SB 153, conference committee report, adopted as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Boharski, Owens, Patterson, Phillips.

Total 4

Excused: Brooke, Clark.

Total 2

Absent or not voting: Hansen.

Total 1

SB 179, conference committee report, adopted as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rice,

Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: Campbell, DeBruycker, Giacometto, Hannah, Koehnke, T. Nelson, O'Keefe, Rehberg, Spring.

Total 9

Excused: Brooke, Clark.

Total 2

Absent or not voting: Grady, Hansen.

Total 2

SB 204, conference committee report, adopted as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Boharski, Cody, Peck.

Total 3

Excused: Brooke, Clark.

Total 2

Absent or not voting: Bardanouve.

Total 1

SB 284, conference committee report, adopted as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: Driscoll.

Total 1

Excused: Brooke, Clark.

Total 2

Absent or not voting: None.

Total 0

SB 314, conference committee report, adopted as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Glaser, Good, Gould, Hansen, Hanson, Harper, Harrington, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, Nisbet, O'Keefe, Patterson, Peck, Quilici, Ramirez, Raney, Ream, Rice, Russell, Schye, Simon, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Whalen, Wyatt, Zook, Mr. Speaker.

Total 64

Noes: Boharski, Campbell, Cobb, Compton, Daily, DeBruycker, Giacometto, Gilbert, Grady, Grinde, Guthrie, Hannah, Hayne, Hoffman, Iverson, Kasten, Keller, R. Nelson, T. Nelson, O'Connell, Owens, Pavlovich, Peterson, Phillips, Rehberg, Roth, Simpkins, Smith, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake.

Total 34

Excused: Brooke, Clark.

Total 2

Absent or not voting: None.

Total 0

HB 1, Governor's amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Boharski, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Brooke, Clark.

Total 2

Absent or not voting: Blotkamp, Simon.

Total 2

HB 227, Governor's amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Boharski, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore,

L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Brooke, Clark.

Total 2

Absent or not voting: Blotkamp.

Total 1

HB 391, Governor's amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Cocchiarella, Driscoll, Whalen.

Total 3

Excused: Brooke, Clark.

Total 2

Absent or not voting: Good.

Total 1

SB 8, Governor's amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Boharski, DeBruycker, DeMars, Guthrie.

Total 4

Excused: Brooke, Clark.

Total 2

Absent or not voting: Good, McCormick.

Total 2

SB 38, Governor's amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Driscoll, Kasten.

Total 2

Excused: Brooke, Clark.

Total 2

Absent or not voting: McCormick.

Total 1

HB 73, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Brooke, Clark.

Total 2

Absent or not voting: None.

Total 0

HB 122, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady,

Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Brooke, Clark.

Total 2

Absent or not voting: None.

Total 0

HB 166, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Brooke, Clark.

Total 2

Absent or not voting: D. Brown, Daily, Giacometto.

Total 3

HB 169, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Cohen.

Total 1

Excused: Brooke, Clark.

Total 2

Absent or not voting: Grady, Marks, Whalen.

Total 3

HB 204, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Brooke, Clark.

Total 2

Absent or not voting: Marks, Simpkins.

Total 2

HB 211, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: DeBruycker, Giacometto, Stepler.

Total 3

Excused: Brooke, Clark.

Total 2

Absent or not voting: None.

Total 0

HB 222, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly,

Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Boharski, Thomas.
Total 2

Excused: Brooke, Clark.
Total 2

Absent or not voting: Marks.
Total 1

HB 245, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 88

Noes: Boharski, Campbell, Cobb, DeBruycker, Grinde, Kadas, Kasten, Keller, Owens, Peck.
Total 10

Excused: Brooke, Clark.
Total 2

Absent or not voting: None.
Total 0

HB 258, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Cody, DeBruycker, Kasten, Owens, Spring, Squires, Whalen.

Total 7

Excused: Brooke, Clark.

Total 2

Absent or not voting: None.

Total 0

HB 295, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: DeBruycker, Kasten, Owens.

Total 3

Excused: Brooke, Clark.

Total 2

Absent or not voting: None.

Total 0

HB 307, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Cody, Driscoll, Good, Grinde, Patterson, Stepler.

Total 6

Excused: Brooke, Clark.

Total 2

Absent or not voting: Kadas.

Total 1

HB 332, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Brooke, Clark.

Total 2

Absent or not voting: None.

Total 0

HB 336, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Cobb, Cody, Compton, Connelly, Daily, Darko, Davis, DeMars, Elliott, Ellison, Gervais, Glaser, Good, Grady, Guthrie, Hansen, Hanson, Harper, Harrington, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Quilici, Ramirez, Raney, Ream, Rice, Russell, Schye, Simon, Simpkins, Spaeth, Spring, Squires, Stickney, Strizich, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 71

Noes: Campbell, Cocchiarella, Cohen, DeBruycker, Driscoll, Eudaily, Giacometto, Gilbert, Gould, Grinde, Hannah, Hayne, Hoffman, Lee, L. Nelson, R. Nelson, Owens, Peck, Peterson, Phillips, Rehberg, Roth, Smith, Stang, Stepler, Swift, Swysgood.

Total 27

Excused: Brooke, Clark.

Total 2

Absent or not voting: None.

Total 0

HB 346, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Cobb, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Smith, Spaeth,

Spring, Steppler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 84

Noes: Campbell, Cody, DeBruycker, Grinde, Hanson, Harrington, Kasten, Nisbet, Patterson, Phillips, Simpkins, Squires, Stang, Swysgood.

Total 14

Excused: Brooke, Clark.

Total 2

Absent or not voting: None.

Total 0

HB 349, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Brooke, Clark.

Total 2

Absent or not voting: None.

Total 0

HB 350, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Brooke, Clark.

Total 2

Absent or not voting: None.

Total 0

HB 364, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Cody, Good.

Total 2

Excused: Brooke, Clark.

Total 2

Absent or not voting: Quilici.

Total 1

HB 367, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Boharski, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Brooke, Clark.

Total 2

Absent or not voting: Blotkamp, Patterson.

Total 2

HB 394, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley,

Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Koehnke, Stepler.

Total 2

Excused: Brooke, Clark.

Total 2

Absent or not voting: None.

Total 0

HB 413, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.

Total 96

Noes: Cobb, Wyatt.

Total 2

Excused: Brooke, Clark.

Total 2

Absent or not voting: None.

Total 0

HB 422, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Cody, Koehnke, Patterson.

Total 3

Excused: Brooke, Clark.

Total 2

Absent or not voting: Bardanouve, Daily, Owens, Smith.

Total 4

HB 425, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Campbell, Owens, Smith.

Total 3

Excused: Brooke, Clark.

Total 2

Absent or not voting: Peck.

Total 1

HB 432, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Cody.

Total 1

Excused: Brooke, Clark.

Total 2

Absent or not voting: Gould.

Total 1

HB 437, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady,

Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Brooke, Clark.

Total 2

Absent or not voting: None.

Total 0

HB 440, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Bardanoue, Cobb, Patterson.

Total 3

Excused: Brooke, Clark.

Total 2

Absent or not voting: None.

Total 0

HB 447, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanoue, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Marks.

Total 1

Excused: Brooke, Clark.

Total 2

Absent or not voting: Ellison.

Total 1

HB 455, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Boharski, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Grady, Koehnke, Marks, Stang.

Total 4

Excused: Brooke, Clark.

Total 2

Absent or not voting: Blotkamp, Gould.

Total 2

HB 458, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, D. Brown, J. Brown, Campbell, Cocchiarella, Cohen, Compton, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: Boharski, Cobb, Cody, Connelly, Ellison, Gould, Kasten, O'Connell, Ramirez, Rice.

Total 10

Excused: Brooke, Clark.

Total 2

Absent or not voting: None.

Total 0

MOTIONS

Representative Harper moved the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 32. Motion carried.

Speaker Vincent appointed the following members:

Representative Daily, Chairman
Representative Schye
Representative Swysgood

Representative Harper moved the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 57. Motion carried.

Speaker Vincent appointed the following members:

Representative Stickney, Chairman
Representative Marks
Representative Addy

Representative Harper moved the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 254. Motion carried.

Speaker Vincent appointed the following members:

Representative Spaeth, Chairman
Representative Addy
Representative Thoft

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved the House adjourn until 8:00 a.m., Saturday, April 1, 1989.

Motion carried.

House adjourned at 3:30 p.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

SEVENTY-THIRD LEGISLATIVE DAY

Helena, Montana
April 1, 1989

House Chambers
State Capitol

House convened at 8:00 a.m., Speaker Pro Tempore Addy in the Chair. Invocation by Representative Hayne. Pledge of Allegiance to the Flag.

Roll call. All members present except Brooke, Hannah, Lee, Marks, Ramirez, Russell, Swysgood, and Thoft, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the sixty-sixth legislative day, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

TAXATION (Harrington, Chairman):

3/31/89

SB 132, second reading copy, be amended as follows:

1. Title, line 5.

Following: "TAXES"

Insert: "AND THE SALE OF TAX-DEED LAND BY THE COUNTY; PROVIDING FOR SALE OTHER THAN BY AUCTION IF NO BID IS RECEIVED AT TWO SALES; LENGTHENING THE NOTIFICATION PERIOD; CHANGING WHEN PROOF OF NOTICE MUST BE FILED BY THE COUNTY CLERK AND COUNTY TREASURER"

2. Title, line 10.

Following: "SECTIONS"

Insert: "7-8-2301, 7-8-2304,"

3. Title, line 11.

Following: "15-18-114,"

Insert: "15-18-212,"

4. Page 1, line 25.

Following: "tax lien,"

Insert: "revises the method by which county tax-deed land is sold, lengthens the notification period prior to issuing a tax deed, changes the time when proof of notice must be filed,"

5. Page 10.

Following: line 20

Insert: "Section 6. Section 7-8-2301, MCA, is amended to read:

"7-8-2301. Auction sale of county tax-deed land. (1) Whenever the county ~~shall acquire any~~ acquires land by tax deed, it ~~shall be~~ is the duty of the board of county commissioners, within 6 months after acquiring title, to make and enter an order for sale of ~~such~~ the lands at public auction at the front door of the courthouse.

(2) ~~No~~ A sale ~~shall~~ may not be made for a price less than the fair market value ~~thereof~~ of the land, as determined and fixed by the board prior to making the order of sale. In determining fair market value, the board shall subtract the amount of outstanding assessments that are a lien on the land from the unencumbered value of the land, but the minimum sale price for a parcel of land may not be less than \$10.

(3) If no bids are received at a sale of tax-deed land, the board shall order another auction sale of ~~such~~ the land under this part within 6 months and ~~shall may~~, if required by the circumstances, redetermine the fair market value of the land under subsection (2).

(4) If no bid is received at the sale conducted under subsection (3), the board may dispose of the land as provided in 7-8-2218."

Section 7. Section 7-8-2304, MCA, is amended to read:

"7-8-2304. Terms for sale of tax-deed land. (1) ~~Such~~ A sale ~~shall~~ must be made for cash or, in the case of real property, on ~~such~~ terms ~~as that~~ the board of county commissioners ~~may approve~~ approves.

(2) (a) If ~~such~~ the sale is made on terms, at least 20% of the purchase price ~~shall~~ must be paid in cash at the date of sale and the remainder may be paid in installments extending over a period not to exceed 5 years. All ~~such~~ deferred payments ~~shall~~ bear interest at the rate of 8% per annum.

(b) If a sale is made on terms, the chairman of the board shall execute a contract containing ~~such~~ the terms ~~as shall be~~ that are provided by a ~~uniform~~ contract ~~prescribed~~ approved by the department of revenue."

Section 8. Section 15-18-212, MCA, is amended to read:

"15-18-212. Notice — proof of notice — penalty for failure to notify. (1) Not more than 60 days prior to and not more than 60 days following the expiration of the redemption period provided in 15-18-111, a notice must be given as follows:

(a) for each property for which there has been issued to the county a tax sale certificate or for which the county is otherwise listed as the purchaser or assignee, the county clerk shall notify all persons considered interested parties in the property and the current occupant of the property, if any, that a tax deed may be issued to the county unless the property tax lien is redeemed prior to the expiration date of the redemption period; or

(b) for each property for which there has been issued a tax sale certificate to a purchaser other than the county or for which an assignment has been made, the purchaser or assignee, as appropriate, shall notify all persons considered interested parties in the property, if any, that a tax deed will be issued to the purchaser or assignee unless the property tax lien is redeemed prior to the expiration date of the redemption period.

(2) (a) Except as provided in subsection (2)(b), if the county is the purchaser, no assignment has been made, and the board of county commissioners has not directed the county treasurer to issue a tax deed during the period described in subsection (1) but the board of county commissioners at a time subsequent to the period described in subsection (1) does direct the county treasurer to issue a tax deed, the county clerk must provide notification to all interested parties and the current occupant, if any, in the manner provided in subsection (1)(a). The notification required under this subsection must be made not less than 60 days or more than ~~90~~ 120 days prior to the date on which the county treasurer will issue the tax deed.

(b) If the county commissioners direct the county treasurer to issue a tax deed within 6 months after giving the notice required by subsection (1)(a), no additional notice need be given.

(3) (a) If a purchaser other than the county or an assignee fails or neglects to give notice as required by subsection (1)(b), which failure or neglect is evidenced by failure of the purchaser or assignee to file proof of notice with the county clerk as required in subsection (7), the county treasurer shall proceed to give notice in the manner provided in subsection (1)(a).

(b) Notice given under this subsection (3) must be given not less than 60 days or more than 90 120 days prior to the date on which the county treasurer will issue the tax deed.

(c) A purchaser or assignee who fails to give notice as required by subsection (1)(b), thereby forcing notification to be given under this subsection (3), must be charged a penalty of \$500 plus all actual costs of notification incurred by the county proceeding under this subsection (3).

(4) The notice required under subsections (1) through (3) must be made by certified mail to each interested party and the current occupant, if any, of the property. The address to which the notice must be sent is, for each interested party, the address disclosed by the records in the office of the county clerk and, for the occupant, the street address or other known address of the subject property.

(5) In all cases in which the address of an interested party is not known, the person required to give notice shall, within the period described in subsection (1) or not less than 60 days or more than 90 120 days prior to the date upon which the county treasurer will otherwise issue a tax deed, whichever is appropriate, ~~publish~~ commence publishing once a week for 2 successive weeks, in the official newspaper of the county or such other newspaper as the board of county commissioners may by resolution designate, a notice containing the information contained in subsection (6), plus:

(a) the name of the interested party for whom the address is unknown;

(b) a statement that the address of the interested party is unknown;

(c) a statement that the published notice meets the legal requirements for notice of a pending tax deed issuance; and

(d) a statement that the interested party's rights in the property may be in jeopardy.

(6) The notices required by subsections (1) through (3) and (5) must contain the following:

(a) a statement that a property tax lien exists on the property as a result of a property tax delinquency;

(b) a description of the property on which the taxes are or were delinquent, which description must be the same as the description of the property on the tax sale certificate or in the record described in 15-17-214(2)(b);

(c) the date that the property taxes became delinquent;

(d) the date that the property tax lien attached as the result of a tax sale;

(e) the amount of taxes due, including penalties, interest, and costs, as of the date of the notice of pending tax deed issuance, which amount must include a separate listing of the delinquent taxes, penalties, interest, and costs that must be paid for the property tax lien to be liquidated;

(f) the name and address of the purchaser;

(g) the name of the assignee if an assignment was made as provided in 15-17-323;

(h) the date that the redemption period expires or expired;

(i) a statement that if all taxes, penalties, interest, and costs are not paid to the county treasurer on or prior to the date on which the redemption period expires or on or prior to the date on which the county treasurer will otherwise issue a tax deed that a tax deed may be issued to the purchaser on the day following the date on which the redemption period expires or on the date on which the county treasurer will otherwise issue a tax deed; and

(j) the business address and telephone number of the county treasurer who is responsible for issuing the tax deed.

(7) ~~In all cases, proof~~ Proof of notice in whatever manner given must be filed ~~by the county clerk, county treasurer, purchaser, or assignee, as appropriate, with the county clerk not less than 30 days following the mailing or publication of the notice. If the purchaser or assignee is other than the county, the proof of notice must be filed with the county clerk within 30 days of the mailing or publishing of the notice. If the purchaser or assignee is the county or if the county treasurer is required to give notice pursuant to subsection (3), the proof of notice must be filed before the issuance of the tax deed under this chapter. Once filed, the proof of notice is prima facie evidence of the sufficiency of the notice.~~

(8) A county or any officer of a county may not be held liable for any error of notification.””

Renumber: subsequent sections

And, as amended, be concurred in. Report adopted.

SB 226, third reading copy, be amended as follows:

1. Title, line 8.

Strike: “COUNTY APPRAISER”

Insert: “DEPARTMENT OF REVENUE”

2. Page 2, lines 4 and 5.

Following: “the” on line 4

Strike: “county appraiser”

Insert: “department of revenue”

3. Page 2, line 9.

Strike: “COUNTY APPRAISER”

Insert: “department of revenue”

And, as amended, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

HB 318, introduced by Simon
HB 319, introduced by Simon
HB 389, introduced by Campbell
HB 736, introduced by Gould
HJR 30, introduced by Clark

House bill not concurred in and returned to the House: 3/31/89

HB 529, introduced by Boharski

The Senate, on 3/31/89, acceded to the request of the House and appointed a conference committee to meet with a like committee from the House to confer on HB 28.

President Galt appointed the following members:

Senator Aklestad, Chairman
Senator Devlin
Senator Lynch

The Senate, on 3/31/89, dissolved the conference committee on HB 496 and appointed a free conference committee to meet with a like committee from the House to confer on Senate amendments to HB 496.

President Galt appointed the following members:

Senator Gage, Chairman
Senator Story
Senator Mazurek

The Senate, on 3/31/89, dissolved the conference committee on SB 173 and appointed a free conference committee to meet with a like committee from the House to confer on House amendments to SB 173.

President Galt appointed the following members:

Senator Bishop, Chairman
Senator Anderson
Senator Vaughn

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bill was introduced, read first time, and referred to committee:

HR 2, introduced by Vincent, referred to Committee on Business and Economic Development

MOTIONS

Representative Wyatt moved the House reconsider its action on Senate amendments to HB 621 taken on second reading the previous legislative day. Motion carried.

Representative Russell present at this time.

Representative Vincent moved the rules be suspended to allow for the late drafting and introduction of a bill. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Driscoll in the Chair.

Speaker Pro Tempore: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 621 - Representative T. Nelson moved Senate amendments to HB 621 be not concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: None.
Total 0

Excused: Brooke, Hannah, Lee, Ramirez, Swysgood, Thoft.
Total 6

Absent or not voting: None.
Total 0

Representative Harper moved the committee rise and report. Motion carried. Committee arose. House resumed. Speaker Pro Tempore Addy in the Chair. Chairman Driscoll moved the adoption of the committee report. Report adopted. (91-1)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HJR 31 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Simon.
Total 1

Excused: Brooke, Hannah, Lee, Ramirez, Swysgood, Thoft.
Total 6

Absent or not voting: Bradley.

Total 1

HJR 32 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: Boharski, D. Brown, Campbell, Steppler.

Total 4

Excused: Brooke, Hannah, Lee, Ramirez, Swysgood, Thoft.

Total 6

Absent or not voting: Bradley, T. Nelson, Owens.

Total 3

HJR 33 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Boharski, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: None.

Total 0

Excused: Brooke, Hannah, Lee, Ramirez, Swysgood, Thoft.

Total 6

Absent or not voting: Blotkamp, Bradley, Good, Keller.

Total 4

HJR 34 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice,

Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: None.

Total 0

Excused: Brooke, Hannah, Lee, Ramirez, Swysgood, Thoft.

Total 6

Absent or not voting: Bradley, Ellison, Good.

Total 3

HJR 36 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 86

Noes: Clark, Kasten, Mercer, Thomas, Wallin.

Total 5

Excused: Brooke, Hannah, Lee, Ramirez, Swysgood, Thoft.

Total 6

Absent or not voting: Bradley, Ellison, Ream.

Total 3

HB 496, conference committee report, adopted as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Brooke, Hannah, Lee, Ramirez, Swysgood, Thoft.

Total 6

Absent or not voting: Bradley, Owens.

Total 2

HB 483, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Brooke, Hannah, Lee, Ramirez, Swysgood, Thoft.

Total 6

Absent or not voting: Bradley.

Total 1

HB 489, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Stang, Stepler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: None.

Total 0

Excused: Brooke, Hannah, Lee, Ramirez, Swysgood, Thoft.

Total 6

Absent or not voting: Bradley, Cohen, Squires.

Total 3

HB 495, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye,

Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: Cohen, Steppler.
Total 2

Excused: Brooke, Hannah, Lee, Ramirez, Swysgood, Thoft.
Total 6

Absent or not voting: Bradley, Owens, Quilici.
Total 3

HB 518, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Good, Gould, Grady, Grinde, Guthrie, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: Boharski, Glaser, Steppler.
Total 3

Excused: Brooke, Hannah, Lee, Ramirez, Swysgood, Thoft.
Total 6

Absent or not voting: Bradley, Hansen.
Total 2

HB 536, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: Campbell, Owens.
Total 2

Excused: Brooke, Hannah, Lee, Ramirez, Swysgood, Thoft.
Total 6

Absent or not voting: Bradley, Whalen.
Total 2

HB 542, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Peck.

Total 1

Excused: Brooke, Hannah, Lee, Ramirez, Swysgood, Thoft.

Total 6

Absent or not voting: Bradley.

Total 1

HB 544, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Campbell.

Total 1

Excused: Brooke, Hannah, Lee, Ramirez, Swysgood, Thoft.

Total 6

Absent or not voting: Bradley, Grinde.

Total 2

HB 561, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice,

Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Brooke, Hannah, Lee, Ramirez, Swysgood, Thoft.

Total 6

Absent or not voting: Bradley, Hayne.

Total 2

HB 576, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 86

Noes: Bardanouve, Cobb, Cohen, Ellison, Giacometto, Koehnke, Peck.

Total 7

Excused: Brooke, Hannah, Lee, Ramirez, Swysgood, Thoft.

Total 6

Absent or not voting: Bradley.

Total 1

HB 577, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Brooke, Hannah, Lee, Ramirez, Swysgood, Thoft.

Total 6

Absent or not voting: Bradley.

Total 1

HB 593, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Clark, Hoffman, Swift.

Total 3

Excused: Brooke, Hannah, Lee, Ramirez, Swysgood, Thoft.

Total 6

Absent or not voting: Bradley.

Total 1

HB 595, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: Clark, DeBruycker.

Total 2

Excused: Brooke, Hannah, Lee, Ramirez, Swysgood, Thoft.

Total 6

Absent or not voting: Bradley, Darko, Ellison.

Total 3

HB 597, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Gilbert, Glaser, Grady, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler,

Stickney, Strizich, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 81

Noes: Campbell, Clark, Cobb, Giacometto, Good, Gould, Grinde, Hoffman, Kasten, Koehnke, Swift.

Total 11

Excused: Brooke, Hannah, Lee, Ramirez, Swysgood, Thoft.

Total 6

Absent or not voting: Bradley, Ellison.

Total 2

HB 616, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 84

Noes: Boharski, Campbell, Cobb, Ellison, Grady, O'Keefe, Owens, Peck.

Total 8

Excused: Brooke, Hannah, Lee, Ramirez, Swysgood, Thoft.

Total 6

Absent or not voting: Blotkamp, Bradley.

Total 2

HB 630, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 86

Noes: Campbell, Clark, DeBruycker, Kasten, Marks, Owens, Peterson.

Total 7

Excused: Brooke, Hannah, Lee, Ramirez, Swysgood, Thoft.

Total 6

Absent or not voting: Bradley.

Total 1

HB 645, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 84

Noes: Boharski, Hanson, Hayne, Koehnke, Marks, Owens, Peck, Simpkins, Spring.

Total 9

Excused: Brooke, Hannah, Lee, Ramirez, Swysgood, Thoft.

Total 6

Absent or not voting: Bradley.

Total 1

HB 647, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 86

Noes: Clark, Good, Grinde, Kasten, T. Nelson, Owens, Thomas.

Total 7

Excused: Brooke, Hannah, Lee, Ramirez, Swysgood, Thoft.

Total 6

Absent or not voting: Bradley.

Total 1

HB 651, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, D. Brown, J. Brown, Campbell, Clark, Cobb, Cody, Cohen, Compton, Connelly, Daily, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Phillips, Quilici, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 86

Noes: Cocchiarella, Darko, Davis, Kilpatrick, Nisbet, Peterson, Raney.
Total 7

Excused: Brooke, Hannah, Lee, Ramirez, Swysgood, Thoft.
Total 6

Absent or not voting: Bradley.
Total 1

HB 655, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 88

Noes: Boharski, Campbell, Clark, Koehnke, Spring.
Total 5

Excused: Brooke, Hannah, Lee, Ramirez, Swysgood, Thoft.
Total 6

Absent or not voting: Bradley.
Total 1

HB 657, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: Boharski, Campbell.
Total 2

Excused: Brooke, Hannah, Lee, Ramirez, Swysgood, Thoft.
Total 6

Absent or not voting: Blotkamp, Bradley, Ellison.
Total 3

HB 668, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton,

Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Peterson, Spring.
Total 2

Excused: Brooke, Hannah, Lee, Ramirez, Swysgood, Thoft.
Total 6

Absent or not voting: Bradley.
Total 1

HB 671, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: Bardanouve, Campbell, Connelly, Peck, Ream.
Total 5

Excused: Bradley, Brooke, Hannah, Lee, Ramirez, Swysgood, Thoft.
Total 7

Absent or not voting: None.
Total 0

HB 682, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Boharski, Campbell, Hayne.

Total 3

Excused: Bradley, Brooke, Hannah, Lee, Ramirez, Swysgood, Thoft.

Total 7

Absent or not voting: None.

Total 0

HB 691, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, D. Brown, J. Brown, Campbell, Clark, Cobb, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: Cocchiarella, Harrington, Kadas, Peck, Simon.

Total 5

Excused: Bradley, Brooke, Hannah, Lee, Ramirez, Swysgood, Thoft.

Total 7

Absent or not voting: Grady.

Total 1

HB 701, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Marks, Simon, Thomas.

Total 3

Excused: Bradley, Brooke, Hannah, Lee, Ramirez, Swysgood, Thoft.

Total 7

Absent or not voting: None.

Total 0

 **HB 720**, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton,

Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stepler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.
Total 86

Noes: Driscoll, Peck, Raney, Stang.
Total 4

Excused: Bradley, Brooke, Hannah, Lee, Ramirez, Swysgood, Thoft.
Total 7

Absent or not voting: Hansen, Mercer, Wyatt.
Total 3

HB 727, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: Campbell.
Total 1

Excused: Bradley, Brooke, Hannah, Lee, Ramirez, Swysgood, Thoft.
Total 7

Absent or not voting: Darko.
Total 1

HJR 23, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, D. Brown, Campbell, Clark, Cobb, Cody, Compton, Daily, Darko, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Rehberg, Rice, Russell, Schye, Simpkins, Smith, Spaeth, Spring, Stang, Stepler, Stickney, Strizich, Swift, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.
Total 73

Noes: J. Brown, Cocchiarella, Cohen, Connelly, Davis, Driscoll, Hansen, Kadas, McDonough, Moore, O'Keefe, Raney, Ream, Roth, Simon, Squires, Thomas, Whalen.

Total 18

Excused: Bradley, Brooke, Hannah, Lee, Ramirez, Swysgood, Thoft.

Total 7

Absent or not voting: Boharski, Guthrie.

Total 2

HJR 35 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Boharski, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Compton, Daily, Darko, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 85

Noes: Cody, Cohen, Connelly, Davis, O'Connell, Peck, Raney.

Total 7

Excused: Bradley, Brooke, Hannah, Lee, Ramirez, Swysgood, Thoft.

Total 7

Absent or not voting: Blotkamp.

Total 1

SB 392 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Boharski, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Stang, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: Elliott, Peck, Squires, Stepler.

Total 4

Excused: Bradley, Brooke, Hannah, Lee, Ramirez, Swysgood, Thoft.

Total 7

Absent or not voting: Blotkamp.

Total 1

SB 461 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady,

April 1, 1989

Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Bradley, Brooke, Hannah, Lee, Ramirez, Swysgood, Thoft.

Total 7

Absent or not voting: None.

Total 0

SJR 17 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanoue, Blotkamp, Boharski, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Bradley, Brooke, Hannah, Lee, Ramirez, Swysgood, Thoft.

Total 7

Absent or not voting: None.

Total 0

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Speaker Pro Tempore Addy introduced this week's pages:

Rhonda Boadle, Augusta
Shannon Boyer, Polson
Ann Campbell, Missoula
Dawn Christensen, Big Timber
Fritz Daily, Butte
Tricia Eder, Reedpoint
Chad Mares, Sand Coulee
Krystal Mires, Libby
Wendy Raney, Livingston
Lara Stang, St. Regis

Representative Harper moved the House adjourn until 3:00 p.m., Monday, April 3, 1989.

Motion carried.

House adjourned at 8:45 a.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

SEVENTY-FOURTH LEGISLATIVE DAY

Helena, Montana
April 3, 1989

House Chambers
State Capitol

House convened at 3:00 p.m., Speaker Pro Tempore Addy in the Chair.
Invocation by Representative Connelly. Pledge of Allegiance to the Flag.

Roll call. All members present except Blotkamp, Gervais, and Russell,
excused. Quorum present.

SPECIAL ORDERS OF THE DAY

After being presented to the House by Michele Meloy, Executive Director
of the Montana Indian Art and Culture Association, Rosalie Jones per-
formed a Native American dance for the members.

MESSAGES FROM THE SENATE

Governor's amendments to Senate bills concurred in and transmitted to the
House for concurrence: 4/1/89

SB 146, introduced by Hager

SB 271, introduced by Manning

House amendments concurred in: 4/1/89

SB 196, introduced by Yellowtail

Conference committee reports adopted: 4/1/89

SB 77, introduced by Nathe

SB 179, introduced by Walker

SB 314, introduced by Regan

Free conference committee reports adopted: 4/1/89

HB 58, introduced by Driscoll

SB 284, introduced by Thayer

SB 330, introduced by Beck

The Senate, on 3/31/89, acceded to the request of the House and appointed
a conference committee to meet with a like committee from the House to
confer on HB 28.

President Galt appointed the following members:

Senator Aklestad, Chairman

Senator Devlin

Senator Lynch

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred
to committees:

HJR 39, introduced by Wyatt, Brooke, Blotkamp, Kilpatrick, Walker,
Steppler, L. Nelson, Cody, Vaughn, Weeding, Johnson, Daily, Squires,
Stickney, Kimberley, Strizich, referred to Committee on Education and
Cultural Resources

HJR 40, introduced by Bradley, Jacobson, Good, Peterson, referred to
Committee on Human Services and Aging

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Eudaily in the Chair.

Speaker Pro Tempore: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 226 - Representative Lee moved consideration of SB 226 be passed for the day. Motion carried.

HB 301 - Representative Bardanouve moved Senate amendments to HB 301 be placed at the bottom of the second reading board. Motion carried.

HB 785 - Representative Mercer moved HB 785 be placed at the bottom of the second reading board. Motion carried.

HB 792 - Representative Davis moved HB 792 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Blotkamp, Gervais, Russell.

Total 3

Absent or not voting: None.

Total 0

SB 132 - Representative Schye moved consideration of SB 132 be passed for the day. Motion carried.

Representative Guthrie excused at this time.

SB 137 - Representative Stang moved SB 137 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore,

L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: Blotkamp, Gervais, Guthrie, Russell.
Total 4

Absent or not voting: None.
Total 0

SB 283 - Representative Giacometto moved SB 283 be concurred in.
Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Giacometto, Glaser, Good, Gould, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Keller, Kimberley, Knapp, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ream, Rehberg, Rice, Roth, Schye, Simon, Smith, Spaeth, Spring, Squires, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.
Total 75

Noes: Boharski, Cobb, Cocchiarella, Compton, DeBruycker, Gilbert, Grinde, Kadas, Kasten, Kilpatrick, Koehnke, Lee, T. Nelson, O'Keefe, Ramirez, Raney, Simpkins, Stang, Wyatt.
Total 19

Excused: Blotkamp, Gervais, Guthrie, Russell.
Total 4

Absent or not voting: Bardanouve, Marks.
Total 2

Representative Guthrie present at this time.

HB 301 - Representative Bardanouve moved Senate amendments to HB 301 be concurred in.

Representative Swysgood made a substitute motion Senate amendments to HB 301 be not concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Brooke, Hansen, Harrington, Kadas, Spaeth.

Total 5

Excused: Blotkamp, Gervais, Russell.

Total 3

Absent or not voting: None.

Total 0

HB 785 - Representative Mercer moved HB 785, second reading copy, be amended as follows:

1. Title, line 5.

Following: "ACT"

Insert: "AUTHORIZING THE ISSUANCE OF BONDS FOR THE PURPOSE OF CONSTRUCTING, RENOVATING, AND EQUIPPING CERTAIN BUILDINGS;"

2. Title, lines 8 and 9.

Following: "FOR"

Strike: remainder of line 8 through "SYSTEM" on line 9

Insert: "THE PAYMENT AND SERVICING OF THE BONDS THAT CONSTITUTE A STATE DEBT"

3. Page 1, line 12.

Following: line 11

Insert: "NEW SECTION. Section 1. Definitions. As used in [this act], the following definitions apply:

(1) "Approved budget amendment" means a request approved by the budget director, that was submitted through the architecture and engineering division of the department of administration to transfer excess funds appropriated to a capital project within an agency in order to increase the appropriations of another capital project within that agency or to obtain financing to expand a project with funds that were not available for consideration by the legislature.

(2) "Board" means the board of examiners established under 2-15-1007.

(3) "Long range building bonds" means the bonds backed by the coal severance tax and issued under [this act].

4. Page 1, lines 12 through 16.

Following: "NEW SECTION."

Strike: remainder of line 12 through "amounts" on line 16

Insert: "Section 2. Bond authorization — issuance — requirements.

(1) The board may issue and sell long range building bonds under the conditions and in the manner prescribed in [this act] in a net amount not exceeding \$44.756 million"

5. Page 2, line 11.

Following: line 10

Insert: "(2) The amounts listed in subsection (1) include the administrative costs of the project, such as the costs of bond issuance and other expenses incidental to the administration of capital projects.

NEW SECTION. Section 3. Use of bond sale proceeds. The proceeds from the sale of long range building bonds issued under [this

act] must be deposited as provided in [section 4] and must be used exclusively for the purpose designated in [section 2].

NEW SECTION. Section 4. Form — principal and interest — fiscal agent — deposit of proceeds. (1) Long range building bonds must be issued by the board of examiners at public or private sale, in such denominations and form, whether payable to bearer or registered as to principal or both principal and interest, with such provisions for the conversion or exchange, bearing interest at such rate or rates, maturing at such times not exceeding 40 years from date of issue, subject to redemption at such earlier times and prices and upon such notice, and payable at the office of such fiscal agency of the state as the board of examiners shall determine, subject to the limitations contained in [this act].

(2) In all other respects the board of examiners is authorized to prescribe the form and terms of the bonds and shall do whatever is lawful and necessary for their issuance and payment.

(3) Long range building bonds and any interest coupons appurtenant thereto shall be signed by the members of the board of examiners, and the bonds shall be issued under the great seal of the state of Montana. The bonds and coupons may be executed with facsimile signatures and seal in the manner and subject to the limitations prescribed by law. The state treasurer shall keep a record of all such bonds issued and sold.

(4) The board of examiners is authorized to employ a fiscal agent to assist in the performance of its duties under [this act].

(5) All proceeds of the state of Montana long range building bonds issue must be deposited in a capital projects fund or a state special revenue account established for that bond issue, except that any premiums and accrued interest received must be deposited in a debt service fund established for that bond issue.

NEW SECTION. Section 5. Trust indenture. In the discretion of the board of examiners, the bonds or notes issued under [this act] may be secured by a trust indenture by and between the board of examiners and a trustee, which may be any trust company or bank having the powers of a trust company within or outside of the state. The trust indenture or an executed counterpart thereof must be filed in the office of the secretary of state of Montana. The filing of a trust indenture or an executed counterpart in the office of the county clerk of the county in which the property covered by the trust indenture is located is constructive notice of its contents to all persons from the time of the filing, and the recording of the trust indenture or its contents is not necessary.

NEW SECTION. Section 6. Provisions for protecting bondholders. The trust indenture may contain provisions for protecting and enforcing the rights and remedies of the bondholders that are reasonable, proper, and not in violation of law, including covenants setting forth the duties of the state, the board of examiners, and the departments, boards, or agencies of state government in relation to the acquisition, construction, improvement, maintenance, operation, repair, and insurance of the projects financed with the proceeds of the long range building bonds and the custody, safeguarding, and application of all money. The trust indenture may set forth the rights and remedies of the bondholders as is customary in trust

indentures, deeds of trusts, and mortgages securing bonds or debentures of corporations. No enumeration of particular powers granted by this section impairs any general grant of power contained in [this act].

NEW SECTION. Section 7. Personal liability — suit to compel performance. (1) The members of the board of examiners and officers and employees of the departments, boards, or agencies of state government are not personally liable or accountable by reason of the issuance of or any long range building bond or bond anticipation note issued by the board of examiners.

(2) Any holder of long range building bonds or any person or officer being a party in interest, subject to any applicable coal severance tax agreements or trust indentures, may sue to enforce and compel the performance of the long range building bond provisions of [this act].

NEW SECTION. Section 8. Negotiability of bonds. Bonds or notes issued under [this act] are negotiable instruments under the Uniform Commercial Code, subject only to the provisions for registration of bonds.

NEW SECTION. Section 9. Signatures of board members. In case any member of the board whose signature appears on bonds, notes, or coupons issued under [this act] ceases to be a member before the delivery of the bonds or notes, his signature remains valid and sufficient for all purposes, the same as if the member had remained in office until delivery.

NEW SECTION. Section 10. Refunding obligations. (1) The state board of examiners may provide for the issuance of refunding obligations for refunding any outstanding obligations that have been issued under [this act], including the payment of any redemption premium and any interest accrued or to accrue to the date of redemption of the obligations. The issuance of refunding obligations, the maturities and other details, the rights of the holders, and the rights, duties, and obligations of the state are governed by the appropriate provisions of [this act] that relate to the issuance of obligations.

(2) Refunding obligations issued as provided in subsection (1) may be sold or exchanged for outstanding obligations issued under [this act]. The proceeds may be applied to the purchase, redemption, or payment of outstanding obligations. Pending the application of the proceeds of refunding obligations, with other available funds, to the payment of principal, accrued interest, and any redemption premium on the obligations being refunded and, if permitted in the resolution authorizing the issuance of the refunding obligations or in the trust agreement securing them, to the payment of interest on refunding obligations and expenses in connection with refunding, the proceeds may be invested as provided in Title 17, chapter 6.

NEW SECTION. Section 11. Pledge of the state. In accordance with the constitutions of the United States and the state of Montana, the state pledges that it will not in any way impair the obligations of any agreement between the state and the holders of notes and bonds issued by the state.

NEW SECTION. Section 12. Appropriations. (1) There is appropriated from the proceeds of the coal severance tax that would be

deposited in the coal severance tax permanent fund from the coal severance tax bond fund pursuant to 17-5-703 to the department of administration the amount necessary for the payment and servicing the long range building bonds authorized to be issued under [section 2].

(2) There is appropriated from the special long range building bond fund account to the department of administration \$44.756 million, contingent upon the sale of long range building bonds by the board, for the construction, renovation, and repair of the buildings listed in [section 2].”

Renumber: subsequent sections

6. Page 2, line 18.

Following: “fund”

Insert: “to service a state debt”

7. Page 2, line 19.

Insert: “NEW SECTION. Section 15. Severability. If a part of [this act] is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications.”

Amendment passed as follows:

Ayes: Aafedt, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cody, Compton, Connelly, Daily, DeBruycker, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Iverson, Kasten, Keller, Knapp, Lee, Marks, McDonough, Menahan, Mercer, R. Nelson, O’Connell, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Rehberg, Rice, Roth, Simon, Simpkins, Smith, Spring, Stepler, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Zook.

Total 61

Noes: Addy, Bachini, Bardanouve, Brooke, Cocchiarella, Cohen, Darko, Davis, DeMars, Elliott, Hansen, Harper, Johnson, Kadas, Kilpatrick, Kimberley, Koehnke, McCormick, Moore, L. Nelson, T. Nelson, Nisbet, O’Keefe, Peck, Raney, Ream, Schye, Spaeth, Squires, Stang, Stickney, Strizich, Whalen, Wyatt, Mr. Speaker.

Total 35

Excused: Blotkamp, Gervais, Russell.

Total 3

Absent or not voting: Harrington.

Total 1

Representative Thoft moved HB 785, second reading copy, be amended as follows:

1. Page 2.

Following: line 10

Insert: “Department of Institutions

Galen Veterans’ Home	\$ 250,000
Eastern Montana Veterans’ Home	\$ 1,400,000”

Amendment passed as follows:

Ayes: Aafedt, Boharski, Bradley, D. Brown, Campbell, Clark, Cody, Compton, Connelly, Daily, Darko, DeBruycker, Driscoll, Eudaily,

Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Harrington, Hayne, Hoffman, Iverson, Kasten, Keller, Knapp, Marks, Menahan, Mercer, L. Nelson, O'Connell, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Rehberg, Roth, Schye, Smith, Spring, Stang, Swift, Swysgood, Thoft, Thomas, Wallin, Zook, Mr. Speaker.

Total 55

Noes: Addy, Bachini, Bardanouve, Brooke, J. Brown, Cobb, Cocchiarella, Cohen, Davis, DeMars, Elliott, Ellison, Good, Hansen, Harper, Johnson, Kadas, Kilpatrick, Kimberley, Koehnke, Lee, McCormick, McDonough, Moore, R. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Raney, Ream, Rice, Simon, Simpkins, Spaeth, Squires, Steppler, Stickney, Strizich, Westlake, Whalen, Wyatt.

Total 42

Excused: Blotkamp, Gervais, Russell.

Total 3

Absent or not voting: None.

Total 0

Representative D. Brown moved HB 785, second reading copy, be amended. Amendment failed. (48-48)

Representative Peterson moved HB 785, second reading copy, be amended. Amendment failed. (41-55)

Representative Stang moved HB 785, second reading copy, be amended. Amendment failed. (19-74)

Representative Gervais present at this time.

Representative Bardanouve moved HB 785, second reading copy, be amended.

Representative Bardanouve withdrew his amendment.

Representative Mercer moved HB 785, as amended, do pass. Motion failed as follows:

Ayes: Boharski, D. Brown, Campbell, Clark, Cobb, Cody, Compton, Daily, DeBruycker, Ellison, Eudaily, Gilbert, Glaser, Gould, Grady, Guthrie, Hanson, Harrington, Hayne, Hoffman, Iverson, Keller, Knapp, Marks, Mercer, L. Nelson, R. Nelson, O'Connell, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Rehberg, Rice, Simpkins, Smith, Spring, Swift, Swysgood, Thoft, Thomas, Wallin, Zook.

Total 46

Noes: Aafedt, Addy, Bachini, Bardanouve, Bradley, Brooke, J. Brown, Cocchiarella, Cohen, Connelly, Darko, Davis, DeMars, Driscoll, Elliott, Gervais, Giacometto, Good, Grinde, Hannah, Hansen, Harper, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Koehnke, Lee, McCormick, McDonough, Menahan, Moore, T. Nelson, Nisbet, O'Keefe, Peck, Raney, Ream, Roth, Russell, Schye, Simon, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 53

Paired: Ramirez, Aye; Russell, No.

Excused: Blotkamp.

Total 1

Absent or not voting: None.
Total 0

Representative Harper moved the committee rise and report. Motion carried. Committee arose. House resumed. Speaker Pro Tempore Addy in the Chair. Chairman Eudaily moved the adoption of the committee report. Report adopted. (72-23)

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 4/3/89
Correctly enrolled: HB 688.
Examined by the sponsor and found to be correct:
HB 688 - Simon
Signed by the Speaker at 4:00 p.m., 3/31/89: HB 750.

NATURAL RESOURCES (Raney, Chairman): 4/3/89
SB 465, third reading copy, be amended as follows:

1. Title, line 13.
Strike: "SOURCES"
Insert: "OF TIMBER SLASH"
2. Page 1, line 22.
Strike: "source"
Insert: "of timber slash"
3. Page 2, lines 7 through 9.
Following: "shall" on line 7
Strike: remainder of line 7 through "and" on line 9
4. Page 2, line 14.
Following: "fees"
Insert: "for timber slash"
5. Page 2, line 17.
Strike: "source"
Insert: "of timber slash"
6. Page 2, lines 18 through 21.
Following: "emitting"
Strike: " ,"
Following: "basis"
Strike: the remainder of line 18 through line 21 in their entirety
7. Page 3, line 5.
Following: "annually"
Strike: " ,"
Following: "department"
Insert: " , in consultation with any organized smoke management group composed of representatives of the department, public agencies, and industry,"
8. Page 3, line 7.
Following: " ,"
Insert: "and"
9. Page 3, line 9.
Strike: " ; and"
Insert: " ."
10. Page 3, lines 10 through 13.

Strike: subsection (c) in its entirety

And, as amended, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House: 4/3/89

HB 54, introduced by Hanson
HB 143, introduced by Schye
HB 373, introduced by Hannah
HB 525, introduced by Swysgood
HB 545, introduced by Schye
HB 590, introduced by Schye
HB 712, introduced by Wallin

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 4/3/89

HB 370, introduced by Cocchiarella
HB 444, introduced by J. Brown
HB 564, introduced by McCormick
HB 603, introduced by Raney

Senate bills passed and transmitted to the House for concurrence: 4/3/89

SB 470, introduced by Hammond
SJR 18, introduced by Devlin
SJR 19, introduced by Story

Conference committee report adopted: 4/3/89

SB 204, introduced by Norman

Free conference committee report adopted: 4/3/89

SB 153, introduced by Rasmussen

MESSAGES FROM THE GOVERNOR

John Vincent
Speaker of the House
Montana House of Representatives
State Capitol
Helena, Montana 59620

April 3, 1989

Dear Representative Vincent:

Please be informed that I have signed House Bills 113, 247, 465, 516, 557, 559, 578, and 594 on April 1, 1989.

Sincerely,

STAN STEPHENS
Governor

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved the House adjourn until 1:30 p.m., Tuesday, April 4, 1989.

Motion carried.

House adjourned at 5:45 p.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

SEVENTY-FIFTH LEGISLATIVE DAY

Helena, Montana
April 4, 1989

House Chambers
State Capitol

House convened at 1:30 p.m., Mr. Speaker in the Chair. Invocation by Representative Simon. Pledge of Allegiance to the Flag.

Roll call. All members present except Moore and Peck, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the sixty-seventh, sixty-eighth, and sixty-ninth legislative days, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

4/4/89

Correctly engrossed: HB 792, SB 283.

Signed by the Speaker at 8:30 a.m., 4/4/89: HB 688.

Delivered to the Governor for his approval at 10:06 a.m.,
4/4/89: HB 750.

Delivered to the Governor for his approval at 11:55 a.m.,
4/4/89: HB 688.

MESSAGES FROM THE GOVERNOR

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, Montana 59620

April 3, 1989

The Honorable Jack Galt
President of the Senate
State Capitol
Helena, Montana 59620

Dear Representative Vincent and Senator Galt:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby make the attached amendatory veto to House Bill 569, "AN ACT TO GENERALLY REVISE THE LAWS RELATING TO SCHOOL DISTRICT PUPIL-INSTRUCTION-RELATED DAYS AND INSTRUCTIONAL AND PROFESSIONAL DEVELOPMENT FOR TEACHERS; AMENDING SECTIONS 20-1-304 and 20-4-304, MCA; AND PROVIDING AN EFFECTIVE DATE." This amendatory veto is made for the following reasons.

Several school districts throughout Montana have set the school calendar for the next school year. Pupil instruction related days in many instances have also been agreed upon through the collective bargaining process. By placing an effective date of July 1, 1989, on these districts that have previously set their PIR day schedule will create unnecessary confusion and possible conflict with bargained agreements.

My amendment would delay the effective date of House Bill 569 for one year so as to provide the necessary time to establish a PIR day calendar consistent with the intent of the legislation and still recognize the calendar already set.

I urge your concurrence with this amendment.

Governor's Amendments to HB 569

1. Title, line 8.

Strike: "AN"

Insert: "A DELAYED"

1. Page 2, line 20.

Strike: "July 1, 1989"

Insert: "July 1, 1990"

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Brooke in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 370 - Representative Cocchiarella moved Senate amendments to HB 370 be concurred in. Motion carried as follows:

Ayes: Addy, Bachini, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Daily, Darko, Davis, DeMars, Driscoll, Eudaily, Gervais, Gilbert, Glaser, Gould, Grady, Guthrie, Hannah, Hansen, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Marks, McCormick, McDonough, Menahan, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Quilici, Raney, Ream, Rice, Russell, Schye, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 65

Noes: Aafedt, Bardanouve, Boharski, Cobb, DeBruycker, Elliott, Ellison, Giacometto, Good, Grinde, Hanson, Hayne, Kasten, Keller, Lee, Mercer, Owens, Peterson, Phillips, Ramirez, Rehberg, Roth, Simon, Simpkins, Smith, Spaeth, Spring, Swift, Swysgood, Thoft, Zook.

Total 31

Excused: Moore, Peck.

Total 2

Absent or not voting: Connelly, Koehnke.

Total 2

HB 444 - Representative J. Brown moved Senate amendments to HB 444 be concurred in. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Glaser, Gould, Grady, Guthrie, Hansen, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peterson, Quilici, Ramirez, Raney, Ream, Roth, Russell, Schye, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 75

April 4, 1989

Noes: Aafedt, Boharski, Campbell, DeBruycker, Giacometto, Good, Grinde, Hannah, Hanson, Hayne, Kasten, Lee, Owens, Phillips, Rehberg, Rice, Simon, Simpkins, Smith, Spring, Thomas.

Total 21

Excused: Moore, Peck.

Total 2

Absent or not voting: Bradley, Gilbert.

Total 2

HB 564 - Representative McCormick moved Senate amendments to HB 564 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Kasten, Simpkins.

Total 2

Excused: Moore, Peck.

Total 2

Absent or not voting: None.

Total 0

HB 603 - Representative Raney moved Senate amendments to HB 603 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Grady, Grinde, Guthrie, Harper, Harrington, Hayne, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Quilici, Ramirez, Ream, Rice, Roth, Russell, Schye, Simpkins, Smith, Spaeth, Spring, Squires, Stickney, Strizich, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 71

Noes: Clark, Cobb, Driscoll, Elliott, Ellison, Good, Gould, Hannah, Hansen, Hanson, Hoffman, Iverson, Kasten, Lee, Marks, Owens, Peterson, Phillips, Raney, Rehberg, Simon, Stang, Stepler, Swift, Swysgood, Thoft, Thomas.

Total 27

Excused: Moore, Peck.

Total 2

Absent or not voting: None.

Total 0

SB 146 - Representative Hansen moved the Governor's amendments to SB 146 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Moore, Peck.

Total 2

Absent or not voting: None.

Total 0

SB 271 - Representative D. Brown moved consideration of Governor's amendments to SB 271 be passed for the day. Motion carried.

SB 132 - Representative Schye moved SB 132 be concurred in.

Representative Hannah made a substitute motion SB 132 be placed at the bottom of the second reading board. Motion carried.

Representative Moore present at this time.

SB 226 - Representative O'Keefe moved SB 226, third reading copy, be amended as follows:

1. Title, line 7.

Following: "~~1.5~~"

Strike: "2"

Insert: "~~3.5~~"

2. Page 2, line 2.

Following: "~~1.5%~~"

Strike: "2%"

Insert: "~~3.5%~~"

Amendment passed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Ellison, Glaser, Hansen, Harper, Harrington, Johnson, Kadas, Kilpatrick, Kimberley, Koehnke, Marks, McCormick, McDonough, Menahan, Moore, L. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Quilici, Ramirez, Raney, Ream, Roth, Russell, Schye, Squires, Stang, Stepler, Stickney, Strizich, Thomas, Westlake, Whalen, Mr. Speaker.

Total 52

Noes: Aafedt, Boharski, Brooke, Campbell, Clark, Cobb, Compton, DeBruycker, Elliott, Eudaily, Giacometto, Gilbert, Good, Gould, Grady,

Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Iverson, Kasten, Keller, Knapp, Mercer, T. Nelson, Owens, Patterson, Peterson, Phillips, Rehberg, Rice, Simon, Simpkins, Smith, Spaeth, Spring, Swift, Swysgood, Thoft, Wallin, Wyatt, Zook.
Total 44

Excused: Peck.
Total 1

Absent or not voting: Gervais, Lee, R. Nelson.
Total 3

Representative Lee moved SB 226, as amended, be concurred in.
Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Guthrie, Hannah, Hansen, Harper, Hoffman, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Stepler, Stickney, Strizich, Thomas, Wallin, Westlake, Zook, Mr. Speaker.
Total 75

Noes: Clark, Cobb, Gilbert, Grady, Grinde, Hanson, Harrington, Hayne, Kasten, Keller, Knapp, T. Nelson, Peterson, Phillips, Raney, Stang, Swift, Swysgood, Whalen, Wyatt.
Total 20

Excused: Peck.
Total 1

Absent or not voting: Lee, R. Nelson, Squires, Thoft.
Total 4

SB 257 - Representative Grady moved SB 257 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: Cohen, Driscoll, Hannah, Whalen.
Total 4

Excused: Peck.
Total 1

Absent or not voting: Kadas, R. Nelson.

Total 2

Representative Wyatt excused at this time.

SB 465 - Representative DeBruycker moved SB 465, third reading copy, be amended as follows:

1. Title, line 13.

Following: "SOURCES;"

Insert: "EXCLUDING AGRICULTURAL STUBBLES AND OTHER CROP RESIDUES;"

2. Page 2, line 17.

Following: "source"

Insert: ", excluding agricultural stubbles and other crop residues,"

Amendment passed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simpkins, Smith, Spaeth, Spring, Squires, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 84

Noes: Aafedt, Clark, Cody, Eudaily, Gilbert, Good, Kasten, T. Nelson, Nisbet, O'Keefe, Owens, Simon, Stang.

Total 13

Excused: Peck.

Total 1

Absent or not voting: Lee, R. Nelson.

Total 2

Representative Peck present at this time.

Representative Blotkamp moved SB 465, as amended, be concurred in.

Representative Cody made a substitute motion to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative Cody moved SB 465, third reading copy, be amended. Amendment failed. (33-62)

Representatives D. Brown, Gould, and Strizich excused at this time.

Representative Driscoll moved for cloture. Motion carried.

Thereupon, SB 465, as amended, was concurred in as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Gervais, Gould, Grady, Hansen, Harper, Harrington, Johnson, Kadas, Kilpatrick, Kimberley, Koehnke, McCormick, McDonough, Menahan, Moore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, Rice, Russell, Schye, Spaeth, Squires, Steppler, Stickney, Strizich, Whalen, Wyatt, Mr. Speaker.

Total 52

Noes: Aafedt, Boharski, Campbell, Clark, Cobb, Compton, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Iverson, Kasten, Keller, Knapp, Lee, Marks, Mercer, R. Nelson, T. Nelson, O'Connell, Owens, Patterson, Peterson, Phillips, Ramirez, Rehberg, Roth, Simon, Simpkins, Smith, Spring, Stang, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Zook.

Total 48

Paired: D. Brown, Gould, Strizich, Wyatt, Ayes; Giacometto, Gilbert, Hannah, Owens, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 132 - Representative Schye moved consideration of SB 132 be passed for the day. Motion carried.

Representative Harper moved the committee rise and report. Motion carried. Committee arose. House resumed. Speaker Pro Tempore Addy in the Chair. Chairman Brooke moved the adoption of the committee report. Report adopted. (53-43)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 137 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: D. Brown, Gould, Strizich, Wyatt.

Total 4

Absent or not voting: None.

Total 0

SB 283 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, J. Brown, Campbell, Clark, Cocchiarella, Cody, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Glaser, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper,

Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, McCormick, McDonough, Menahan, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Spaeth, Squires, Steppler, Stickney, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.
Total 76

Noes: Boharski, Cobb, Cohen, Compton, Ellison, Gilbert, Good, Kasten, Koehnke, Lee, Marks, Mercer, O'Keefe, Owens, Ramirez, Simpkins, Smith, Spring, Stang.
Total 19

Excused: D. Brown, Gould, Strizich, Wyatt.
Total 4

Absent or not voting: O'Connell.
Total 1

MOTIONS

Representative Harper moved the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 301. Motion carried.

Speaker Pro Tempore Addy noted Speaker Vincent appointed the following members:

Representative Bardanoue, Chairman
Representative Quilici
Representative Swysgood

Representative Harper moved the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 621. Motion carried.

Speaker Pro Tempore Addy noted Speaker Vincent appointed the following members:

Representative McDonough, Chairman
Representative Wyatt
Representative T. Nelson

Representative Harper moved the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 700. Motion carried.

Speaker Pro Tempore Addy noted Speaker Vincent appointed the following members:

Representative Pavlovich, Chairman
Representative Bradley
Representative Mercer

Representative Harper moved the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 734. Motion carried.

Speaker Pro Tempore Addy noted Speaker Vincent appointed the following members:

Representative Cody, Chairman
Representative Hansen

Representative Thomas

Representative Swysgood moved the rules be suspended to allow for the late introduction of SB 470 in the House. Motion carried.

Representative Zook moved the rules be suspended to allow for the late introduction of SJR 18 in the House. Motion carried.

Representative Compton excused at this time.

Representative Mercer moved the House reconsider its action on HB 785 taken on second reading the previous legislative day.

Representative Daily moved the previous question.

Thereupon, the motion failed. (40-59)

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

4/4/89

Correctly enrolled: HB 166, HB 169, HB 211, HB 222, HB 346, HB 394, HB 413.

Examined by the sponsors and found to be correct:

HB 166 - Good

HB 169 - Lee

HB 211 - Addy

HB 222 - Menahan

HB 346 - Rice

HB 394 - Clark

HB 413 - Westlake

Signed by the Speaker at 3:15 p.m., 4/4/89: HB 166, HB 169, HB 211, HB 222, HB 346, HB 394, HB 413.

SELECT COMMITTEE ON EDUCATION FUNDING (Peck, Chairman):

3/31/89

SB 203, third reading copy, be amended as follows:

1. Title, line 5.

Following: "INSURANCE"

Insert: "COMPREHENSIVE INSURANCE AND"

2. Title, lines 8 and 9.

Strike: "ESTABLISH A SCHOOL TERM AS 180 DAYS"

Insert: "LIMIT TO 180 THE NUMBER OF PUPIL INSTRUCTION DAYS FOR WHICH FOUNDATION PROGRAM SUPPORT MAY BE RECEIVED"

3. Title, line 10.

Strike: "100 PERCENT OF THE"

Insert: "EACH"

4. Title, lines 10 and 11.

Strike: "DISTRICTS" through "LEVY" on line 11

5. Title, lines 12 and 13.

Strike: "INCLUDING" through "SCHEDULES;"

6. Title, line 15.

Following: "DISTRICT;"

Insert: "DISTRICT'S GENERAL-FUND-BUDGET-WITHOUT-A-VOTED-LEVY;"

7. Title, lines 15 and 16.

Strike: "ANNUAL INCREASES IN EACH DISTRICT'S"

Insert: "THE"

8. Title, lines 16 through 19.

Following: "BUDGET"

Insert: "OF DISTRICTS TO 130 PERCENT OF THE FOUNDATION PROGRAM AMOUNT FOR THE DISTRICT WITH CERTAIN EXCEPTIONS"

Following: ","

Strike: "TO REQUIRE" through "PERSONNEL;" on line 19

9. Title, line 19.

Following: "TO"

Insert: "FURTHER"

10. Title, lines 20 and 21.

Strike: "A" through "AID"

Insert: "CERTAIN DISTRICTS"

11. Title, page 2, lines 3 and 4.

Strike: "TO ELIMINATE TUITION PAYMENTS BETWEEN DISTRICTS;"

Insert: "TO IMPOSE A 45-MILL STATEWIDE LEVY IN SUPPORT OF STATE EQUALIZATION AID AND TO STATUTORILY APPROPRIATE THE PROCEEDS; TO INCREASE THE COUNTY ELEMENTARY LEVY TO 34 MILLS AND THE COUNTY HIGH SCHOOL LEVY TO 21 MILLS; TO EXCLUDE ALL SCHOOL LEVIES FROM THE PROPERTY TAX LIMITATIONS OF INITIATIVE MEASURE NO. 105;"

12. Title, page 2, line 5.

Following: "PAYMENTS;"

Insert: "TO REQUIRE STATE FUNDING OF TRANSPORTATION SCHEDULE AMOUNTS AND LIMIT TOTAL TRANSPORTATION EXPENDITURES; TO ADJUST THE FOUNDATION PROGRAM SCHEDULES FOR SCHOOL FISCAL YEAR 1991 AND SUCCEEDING YEARS;"

13. Title, page 2, line 6.

Strike: "STUDY"

Insert: "LEGISLATIVE OVERSIGHT COMMITTEE ON SCHOOL FUNDING IMPLEMENTATION TO DIRECT STUDIES"

14. Title, page 2, line 7.

Following: "EXPENDITURES"

Insert: "AND TO PERFORM OTHER DUTIES"

Following: ","

Insert: "TO PROVIDE AN APPROPRIATION;"

15. Title, page 2, line 8.

Following: "17-7-502;"

Insert: "2-7-504, 15-10-402,"

Following: "17-3-213,"

Insert: "17-7-502,"

16. Title, page 2, line 9.

Strike: "20-1-301, 20-1-304," and "20-3-210,"

17. Title, page 2, lines 10 and 11.

Following: "20-3-331,"

Strike: "20-5-101," through "20-5-314,"

Insert: "20-3-331, 20-5-305, 20-5-312,"

18. Title, page 2, line 11.

Following: "20-6-401,"

Insert: "20-6-506,"

Following: "~~20-6-608,~~"

Insert: "20-6-608,"

19. Title, page 2, line 12.

Strike: "20-7-420 THROUGH"

Strike: "20-7-424,"

Following: "20-7-431,"

Insert: "20-7-442,"

20. Title, page 2, line 13.

Following: "20-9-212,"

Insert: "20-9-213,"

Following: "20-9-303,"

Insert: "20-9-311, 20-9-312,"

Following: "20-9-315,"

Insert: ",",

21. Title, page 2, line 14.

Following: "~~20-9-318~~"

Insert: "20-9-318"

Following: "20-9-333,"

Insert: "20-9-334,"

22. Title, page 2, line 15.

Following: "~~20-9-353,~~"

Strike: "20-9-505,"

Insert: "20-9-353,"

Strike: "20-10-105,"

Insert: "20-9-506, 20-10-104, 20-10-141 THROUGH 20-10-145,"

23. Title, page 2, lines 16 and 17.

Strike: "20-5-303," through "20-5-313,"

24. Title, page 2, line 18.

Following: "AND"

Insert: "20-9-105,"

Following: "20-9-531,"

Strike: "AND"

Following: "20-9-532,"

Insert: "AND 20-10-146,"

25. Title, page 2, line 19.

Following: "DATES"

Insert: "AND AN APPLICABILITY DATE"

26. Title, page 2.

Following: line 19

Insert:

"STATEMENT OF INTENT

It is the intent of the legislature to enhance equality of educational opportunity for students in the elementary schools and high schools of Montana by revising the school funding laws to provide greater equalization of the funding available to school districts and to promote equalization of school district expenditures per student. It is

the further intent of the legislature to preserve local control of the public school system, as guaranteed by Montana's constitution.

For these purposes the legislature determines to equalize funding aid to the school districts through the foundation program schedules for the school fiscal year ending June 30, 1991, and succeeding years in an amount equal to the following percentages of the total costs incurred by all the districts in the state in school fiscal year 1988: 100% of retirement, social security, and unemployment insurance, except costs associated with salaries for special education personnel; 90% of comprehensive insurance, after subtracting Public Law 81-874 support for insurance; and 90% of general fund expenditures, after subtracting special education and Public Law 81-874 general fund support.

The legislature also determines to include retirement and other benefits associated with the salaries of special education personnel as costs for which foundation program support for special education is allowed and determines to fully fund approved allowable costs for the special education programs of the school districts through the foundation program.

The legislature also determines to provide state funding for transportation costs in school fiscal year 1991 in the amount provided by the statutory transportation schedules and to require a study, prior to the next legislative session, of permanent methods of equalizing transportation funding and costs.

In order to promote greater equalization of expenditures per student between districts yet provide flexibility for each district to meet its individual needs as determined by the district board of trustees, the legislature determines that the general fund budget of each district must be limited to 130% of the district's foundation program entitlement, except as provided by 20-9-315.

The legislature determines that the over-schedule amount in the transportation fund budget of each district is to be limited to the over-schedule amount of transportation expenditures in school fiscal year 1988, except as allowed by the superintendent of public instruction under 20-10-143(2) in case of emergency or unusual circumstances. It is intended that the superintendent of public instruction adopt rules necessary to implement this provision, including rules that address the unusual circumstances and emergency situations that may occur to require a district to increase the transportation fund budget beyond the limitation, such as anticipated enrollment increases, the destruction or impairment of transportation property, the need for new or altered routes due to school population changes, or other extenuating circumstances. It is specifically intended that the rules allow appropriate increases for districts that have contracts containing escalator clauses with transportation providers.

It is intended that while school districts may conduct more than 180 days of instruction, a school district may not receive foundation program support for more than 180 days of pupil instruction.

Under 20-3-106, 20-9-102, 20-9-201, 20-9-211, and 20-9-213 the superintendent of public instruction is required to adopt rules establishing requirements for budgeting and financial administration of public school districts, including accounting and reporting requirements. Under 20-9-344 the board of public education has authority

to require any reports it considers necessary. It is intended that school districts be required to maintain accounting systems using generally accepted accounting principles and that the superintendent of public instruction adopt rules necessary to implement the requirement. The superintendent of public instruction shall provide training and assistance to the districts as necessary to enable the districts to comply.

It is intended that the districts be required to file accurate and timely reports with the superintendent of public instruction. Districts must be required to provide student and school district data as may be required by the superintendent of public instruction concerning the condition of education in Montana, including personnel information, student and school district demographics, assessment of student and school district achievement, and other appropriate educational factors necessary to enable the legislature to assess the equality of educational opportunity being provided by the public school districts and to determine the amount of state aid to be distributed to school districts. Districts shall also provide data to meet grant requirements and other national reporting needs.

It is intended that the superintendent of public instruction conduct training and provide forms for the personnel responsible for completing reports. Whenever possible, the superintendent of public instruction shall develop methods for collecting educational data electronically, utilizing formats consistent with school district data processing capabilities. The educational data must be maintained in an electronic format easily accessible by other state agencies and the legislature.

It is intended that the superintendent of public instruction employ two additional full-time-equivalent personnel during fiscal year 1990 and three full-time-equivalent personnel during fiscal year 1991 for the purpose of establishing standard accounting and reporting practices in the public school districts.

The legislature determines that if county equalization revenue is deficient because of noncollected tax payments, state equalization aid may be provided to offset the delinquency.

State equalization aid may be withheld from school districts, as provided by 20-9-344, that do not comply with accounting and reporting requirements."

27. Pages 1 through 108.

Strike: everything following the enacting clause

Insert: "Section 1. Section 2-7-504, MCA, is amended to read:

"2-7-504. Accounting methods. ~~The~~ Unless otherwise required by law, the department shall prescribe the general methods and details of accounting for the receipt and disbursement of all ~~moneys~~ money belonging to governmental entities referred to in this part and shall establish in those offices general methods and details of accounting. All governmental entity officers shall conform with the standards prescribed by the department."

Section 2. Section 15-10-402, MCA, is amended to read:

"15-10-402. Property tax limited to 1986 levels. (1) Except as provided in subsections (2) and (3), the amount of taxes levied on property described in 15-6-133, 15-6-134, 15-6-136, 15-6-139, 15-6-142,

and 15-6-144 may not, for any taxing jurisdiction, exceed the amount levied for taxable year 1986.

(2) The limitation contained in subsection (1) does not apply to levies for rural improvement districts, Title 7, chapter 12, part 21; special improvement districts, Title 7, chapter 12, part 41; elementary and high school districts, Title 20; or bonded indebtedness.

(3) New construction or improvements to or deletions from property described in subsection (1) are subject to taxation at 1986 levels.

(4) As used in this section, the "amount of taxes levied" and the "amount levied" mean the actual dollar amount of taxes imposed on an individual piece of property, notwithstanding an increase or decrease in value due to inflation, reappraisal, adjustments in the percentage multiplier used to convert appraised value to taxable value, changes in the number of mills levied, or increase or decrease in the value of a mill."

Section 3. Section 17-3-213, MCA, is amended to read:

"17-3-213. Allocation to general road fund and countywide school levies. (1) The forest reserve funds so apportioned to each county ~~shall~~ must be apportioned by the county treasurer in each county ~~between the several funds~~ as follows:

- (a) to the general road fund, 66 ⅔% of the total amount received;
- (b) to the following countywide school levies, 33 ⅓% of the total sum received:
 - (i) the annual basic tax levy for elementary schools provided for in 20-9-331; and
 - (ii) the annual special tax for high schools provided for in 20-9-333;
 - ~~(iii) the high school transportation fund provided for in 20-10-143;~~
 - ~~(iv) the elementary teacher retirement and social security fund provided for in 20-9-601;~~
 - ~~(v) the high school teacher retirement and social security fund provided for in 20-9-601.~~

(2) The apportionment of money to the funds provided for under subsection (1)(b) ~~shall~~ must be made by the county superintendent based on the proportion that the mill levy of each fund bears to the total number of mills for all the funds. Whenever the total amount of money available for apportionment under this section is greater than the total requirements of a levy, the excess money and any interest income must be retained in a separate reserve fund, to be reapportioned in the ensuing school fiscal year to the levies designated in subsection (1)(b).

(3) In counties ~~wherein~~ in which special road districts have been created according to law, the board of county commissioners shall distribute a proportionate share of the 66 ⅔% of the total amount received for the general road fund to such the special road district or districts within the county based upon the percentage that the total area of such the road district bears to the total area of the entire county."

Section 4. Section 19-4-605, MCA, is amended to read:

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"19-4-605. Pension accumulation fund — employer's contribution. The pension accumulation fund is the fund in which the reserves for payment of pensions and annuities ~~shall must~~ be accumulated and from which pensions, annuities, and benefits in lieu thereof ~~shall of~~ pensions and annuities must be paid to or on account of beneficiaries credited with prior service. Contributions to and payments from the pension accumulation fund ~~shall must~~ be made as follows:

(1) Each employer shall pay into the pension accumulation fund an amount equal to 7.428% of the earned compensation of each member employed during the whole or part of the preceding payroll period.

(2) If the employer is a district or community college district, the trustees shall budget ~~and pay~~ for the employer's contribution ~~under the provisions of 20-9-501~~ in the general fund budget.

(3) If the employer is the superintendent of public instruction, a public institution of the state of Montana, a unit of the Montana university system, or the Montana state school for the deaf and blind, the legislature shall appropriate to the employer an adequate amount to allow the payment of the employer's contribution.

(4) If the employer is a county, the county commissioners shall budget and pay for the employer's contribution in the manner provided by law for the adoption of a county budget and for payments under the budget.

(5) All interest and other earnings realized on the ~~moneys~~ money of the retirement system ~~shall must~~ be credited to the pension accumulation fund, and the amount required to allow regular interest on the annuity savings fund ~~shall must~~ be transferred to that fund from the pension accumulation fund.

(6) All pensions, annuities, and benefits in lieu thereof ~~shall of~~ pensions and annuities must be paid from the pension accumulation fund.

(7) The retirement board may, in its discretion, transfer from the pension accumulation fund an amount necessary to cover expenses of administration."

Section 5. Section 20-3-106, MCA, is amended to read:

"20-3-106. Supervision of schools — powers and duties. The superintendent of public instruction has the general supervision of the public schools and districts of the state, and he shall perform the following duties or acts in implementing and enforcing the provisions of this title:

(1) resolve any controversy resulting from the proration of costs by a joint board of trustees under the provisions of 20-3-362;

(2) issue, renew, or deny teacher certification and emergency authorizations of employment;

(3) negotiate reciprocal tuition agreements with other states in accordance with the provisions of 20-5-314;

(4) serve on the teachers' retirement board in accordance with the provisions of 2-15-1010;

(5) approve or disapprove the orders of a high school boundary commission in accordance with the provisions of 20-6-311;

- (6) approve or disapprove the opening or reopening of a school in accordance with the provisions of 20-6-502, 20-6-503, 20-6-504, or 20-6-505;
- (7) approve or disapprove school isolation within the limitations prescribed by 20-9-302;
- (8) generally supervise the school budgeting procedures prescribed by law in accordance with the provisions of 20-9-102 and prescribe the school budget format in accordance with the provisions of 20-9-103 and 20-9-506;
- (9) establish a system of communication for calculating joint district revenues in accordance with the provisions of 20-9-151;
- (10) approve or disapprove the adoption of a district's emergency budget resolution under the conditions prescribed in 20-9-163 and publish rules for an application for additional state aid for an emergency budget in accordance with the approval and disbursement provisions of 20-9-166;
- (11) generally supervise the school financial administration provisions as prescribed by 20-9-201(2);
- (12) prescribe and furnish the annual report forms to enable the districts to report to the county superintendent in accordance with the provisions of 20-9-213(5) and the annual report forms to enable the county superintendents to report to the superintendent of public instruction in accordance with the provisions of 20-3-209;
- (13) approve, disapprove, or adjust an increase of the average number belonging (ANB) in accordance with the provisions of 20-9-313 and 20-9-314;
- (14) distribute state equalization aid in support of the foundation program in accordance with the provisions of 20-9-342, 20-9-346, and 20-9-347;
- (15) distribute state impact aid in accordance with the provisions of 20-9-304;
- (16) provide for the uniform and equal provision of transportation by performing the duties prescribed by the provisions of 20-10-112;
- (17) approve or disapprove an adult education program for which a district proposes to levy a tax in accordance with the provisions of 20-7-705;
- (18) request, accept, deposit, and expend federal ~~moneys~~ money in accordance with the provisions of 20-9-603;
- (19) authorize the use of federal ~~moneys~~ money for the support of an interlocal cooperative agreement in accordance with the provisions of 20-9-703 and 20-9-704;
- (20) prescribe the form and contents of and approve or disapprove interstate contracts in accordance with the provisions of 20-9-705;
- (21) approve or disapprove the conduct of school on a Saturday or on pupil-instruction-related days in accordance with the provisions of 20-1-303 and 20-1-304;
- (22) recommend standards of accreditation for all schools to the board of public education and evaluate compliance with ~~such~~ the

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standards and recommend accreditation status of every school to the board of public education in accordance with the provisions of 20-7-101 and 20-7-102;

(23) collect and maintain a file of curriculum guides and assist schools with instructional programs in accordance with the provisions of 20-7-113 and 20-7-114;

(24) establish and maintain a library of visual, aural, and other educational media in accordance with the provisions of 20-7-201;

(25) license textbook dealers and initiate prosecution of textbook dealers violating the law in accordance with the provisions of the textbooks part of this title;

(26) as the governing agent and executive officer of the state of Montana for K-12 vocational education, adopt the policies prescribed by and in accordance with the provisions of 20-7-301;

(27) supervise and coordinate the conduct of special education in the state in accordance with the provisions of 20-7-403;

(28) administer the traffic education program in accordance with the provisions of 20-7-502;

(29) administer the school food services program in accordance with the provisions of 20-10-201, 20-10-202, and 20-10-203;

(30) review school building plans and specifications in accordance with the provisions of 20-6-622;

(31) prescribe the method of identification and signals to be used by school safety patrols in accordance with the provisions of 20-1-408;

(32) provide schools with information and technical assistance for compliance with the student assessment rules provided for in 20-2-121 and collect and summarize the results of ~~such~~ the student assessment for the board of public education and the legislature; and

~~(33) administer the distribution of state retirement equalization aid in accordance with 20-9-522; and~~

~~(34)~~(33) perform any other duty prescribed from time to time by this title, any other act of the legislature, or the policies of the board of public education."

Section 6. Section 20-3-205, MCA, is amended to read:

"20-3-205. Powers and duties. The county superintendent has general supervision of the schools of the county within the limitations prescribed by this title and shall perform the following duties or acts:

(1) determine, establish, and reestablish trustee nominating districts in accordance with the provisions of 20-3-352, 20-3-353, and 20-3-354;

(2) administer and file the oaths of members of the boards of trustees of the districts in his county in accordance with the provisions of 20-3-307;

(3) register the teacher or specialist certificates or emergency authorization of employment of any person employed in the county as a teacher, specialist, principal, or district superintendent in accordance with the provisions of 20-4-202;

- (4) act on each tuition application submitted to him in accordance with the provisions of 20-5-301, 20-5-302, 20-5-304, and 20-5-311 and transmit the tuition information required by 20-5-312;
- (5) file a copy of the audit report for a district in accordance with the provisions of 20-9-203;
- (6) classify districts in accordance with the provisions of 20-6-201 and 20-6-301;
- (7) keep a transcript and reconcile the district boundaries of the county in accordance with the provisions of 20-6-103;
- (8) fulfill all responsibilities assigned to him under the provisions of this title regulating the organization, alteration, or abandonment of districts;
- (9) act on any unification proposition and, if approved, establish additional trustee nominating districts in accordance with 20-6-312 and 20-6-313;
- (10) estimate the average number belonging (ANB) of an opening school in accordance with the provisions of 20-6-502, 20-6-503, 20-6-504, or 20-6-506;
- (11) process and, when required, act on school isolation applications in accordance with the provisions of 20-9-302;
- (12) complete the budgets, compute the budgeted revenues and tax levies, give notices of the budget meetings, file final and emergency budgets, and fulfill such other responsibilities assigned to him under the provisions of this title regulating school budgeting systems;
- (13) submit an annual financial report to the superintendent of public instruction in accordance with the provisions of 20-9-211;
- (14) quarterly, unless otherwise provided by law, order the county treasurer to apportion state money, county school money, and any other school money subject to apportionment in accordance with the provisions of 20-9-212, 20-9-334, 20-9-347, or 20-10-145, ~~or 20-10-146~~;
- (15) act on any request to transfer average number belonging (ANB) in accordance with the provisions of 20-9-313(3);
- (16) calculate the estimated budgeted general fund sources of revenue in accordance with the provisions of 20-9-348 and the other general fund revenue provisions of the general fund part of this title;
- (17) compute the revenues and the district and county levy requirements for each fund included in each district's final budget and report ~~such~~ the computations to the board of county commissioners in accordance with the provisions of the general fund, transportation, bonds, and other school funds parts of this title;
- (18) file and forward bus driver certifications, transportation contracts, and state transportation reimbursement claims in accordance with the provisions of 20-10-103, 20-10-143, or 20-10-145;
- (19) for districts which do not employ a district superintendent or principal, recommend library book and textbook selections in accordance with the provisions of 20-7-204 or 20-7-602;

(20) notify the superintendent of public instruction of a textbook dealer's activities when required under the provisions of 20-7-605 and otherwise comply with the textbook dealer provisions of this title;

(21) act on district requests to allocate federal money for indigent children for school food services in accordance with the provisions of 20-10-205;

(22) perform any other duty prescribed from time to time by this title, any other act of the legislature, the policies of the board of public education, the policies of the board of regents relating to community college districts, or the rules of the superintendent of public instruction;

(23) administer the oath of office to trustees without the receipt of pay for administering the oath;

(24) keep a record of his official acts, preserve all reports submitted to him under the provisions of this title, preserve all books and instructional equipment or supplies, keep all documents applicable to the administration of the office, and surrender ~~such~~ all records, books, supplies, and equipment to his successor;

(25) within 90 days after the close of the school fiscal year, publish an annual report in the county newspaper stating the following financial information for the school fiscal year just ended for each district of the county:

(a) the total of the cash balances of all funds maintained by the district at the beginning of the year;

(b) the total receipts that were realized in each fund maintained by the district;

(c) the total expenditures that were made from each fund maintained by the district; and

(d) the total of the cash balances of all funds maintained by the district at the end of the school fiscal year; and

(26) hold meetings for the members of the trustees from time to time at which matters for the good of the districts shall be discussed."

Section 7. Section 20-3-324, MCA, is amended to read:

"20-3-324. Powers and duties. As prescribed elsewhere in this title, the trustees of each district shall ~~have the power and it shall be their duty to perform the following duties or acts:~~

(1) employ or dismiss a teacher, principal, or other assistant upon the recommendation of the district superintendent, the county high school principal, or other principal as the board ~~may deem~~ considers necessary, accepting or rejecting ~~such~~ any recommendation as the trustees ~~shall~~ in their sole discretion determine, in accordance with the provisions of Title 20, chapter 4;

(2) employ and dismiss administrative personnel, clerks, secretaries, teacher aides, custodians, maintenance personnel, school bus drivers, food service personnel, nurses, and any other personnel ~~deemed~~ considered necessary to carry out the various services of the district;

- (3) administer the attendance and tuition provisions and otherwise govern the pupils of the district in accordance with the provisions of the pupils chapter of this title;
- (4) call, conduct, and certify the elections of the district in accordance with the provisions of the school elections chapter of this title;
- (5) participate in the teachers' retirement system of the state of Montana in accordance with the provisions of the teachers' retirement system chapter of Title 19;
- (6) participate in district boundary change actions in accordance with the provisions of the districts chapter of this title;
- (7) organize, open, close, or acquire isolation status for the schools of the district in accordance with the provisions of the school organization part of this title;
- (8) adopt and administer the annual budget or an emergency budget of the district in accordance with the provisions of the school budget system part of this title;
- (9) conduct the fiscal business of the district in accordance with the provisions of the school financial administration part of this title;
- (10) establish the ANB, foundation program, ~~permissive levy~~, additional levy, cash reserve, and state impact aid amount for the general fund of the district in accordance with the provisions of the general fund part of this title;
- (11) establish, maintain, budget, and finance the transportation program of the district in accordance with the provisions of the transportation parts of this title;
- (12) issue, refund, sell, budget, and redeem the bonds of the district in accordance with the provisions of the bonds parts of this title;
- (13) when applicable, establish, financially administer, and budget for the tuition fund, ~~retirement fund~~, building reserve fund, adult education fund, nonoperating fund, school food services fund, miscellaneous federal programs fund, building fund, lease or rental agreement fund, traffic education fund, and interlocal cooperative agreement fund in accordance with the provisions of the other school funds parts of this title;
- (14) when applicable, administer any interlocal cooperative agreement, gifts, legacies, or devises in accordance with the provisions of the miscellaneous financial parts of this title;
- (15) hold in trust, acquire, and dispose of the real and personal property of the district in accordance with the provisions of the school sites and facilities part of this title;
- (16) operate the schools of the district in accordance with the provisions of the school calendar part of this title;
- (17) establish and maintain the instructional services of the schools of the district in accordance with the provisions of the instructional services, textbooks, vocational education, and special education parts of this title;
- (18) establish and maintain the school food services of the district in accordance with the provisions of the school food services parts of this title;

(19) make ~~such~~ reports from time to time as the county superintendent, superintendent of public instruction, and board of public education may require;

(20) retain, when ~~deemed~~ considered advisable, a physician or registered nurse to inspect the sanitary conditions of the school or the general health conditions of each pupil and, upon request, make available to any parent or guardian any medical reports or health records maintained by the district pertaining to his child;

(21) for each member of the trustees, visit each school of the district not less than once each school fiscal year to examine its management, conditions, and needs, except trustees from a first-class school district may share the responsibility for visiting each school in the district;

(22) procure and display outside daily in suitable weather at each school of the district an American flag ~~which shall be~~ that measures not less than 4 feet by 6 feet; and

(23) perform any other duty and enforce any other requirements for the government of the schools prescribed by this title, the policies of the board of public education, or the rules of the superintendent of public instruction."

Section 8. Section 20-3-331, MCA, is amended to read:

"20-3-331. Purchase of liability insurance. The trustees of any district may purchase insurance coverage for the district, trustees, and employees against liability for the death, injury, or disability of any person or damage to property. The trustees shall include the cost of coverage in the general fund budget of the district."

Section 9. Section 20-5-305, MCA, is amended to read:

"20-5-305. Elementary tuition rates. (1) Whenever a pupil of an elementary district has been granted approval to attend a school outside of the district in which he resides, under the provisions of 20-5-301 or 20-5-302, ~~such the~~ the district of residence shall pay tuition to the elementary district where the pupil attends school. Except as provided in subsection (2), the basis of the rate of tuition shall be determined by the attended district. The rate of tuition ~~shall~~ must be determined by:

(a) totaling the actual expenditures from the district general fund; ~~and the debt service fund; and, if the pupil is a resident of another county, the retirement fund;~~

(b) dividing the amount determined in subsection (1)(a) by the ANB of the district for the current fiscal year, as determined under the provisions of 20-9-311; and

(c) ~~subtracting the total of~~ from the amount determined in subsection (1)(b) the per-ANB amount allowed by 20-9-316 through 20-9-321 that represents the foundation program schedules as prescribed by 20-9-303 plus the per-ANB amount determined by dividing the state financing of the district permissive levy by the ANB of the district, from the amount determined in subsection (1)(b).

(2) The tuition for a full-time elementary special education pupil must be determined under rules adopted by the superintendent of

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public instruction for the calculation of elementary tuition for full-time elementary special education pupils as designated in 20-9-311 for funding purposes.”

Section 10. Section 20-5-312, MCA, is amended to read:

“20-5-312. Reporting, budgeting, and payment for high school tuition. (1) Except as provided in subsection (2), at the close of the school term of each school fiscal year, the trustees of each high school district shall determine the rate of tuition for the current school fiscal year by:

(a) totaling the actual expenditures from the district general fund; and the debt service fund, and, if the pupil is a resident of another county, the retirement fund;

(b) dividing the amount determined in subsection (1)(a) above by the ANB of the district for the current fiscal year, as determined under the provisions of 20-9-311; and

(c) ~~subtracting the total of from the amount determined in subsection (1)(b) the per-ANB amount allowed by 20-9-316 through 20-9-321 that represents the foundation program schedules as prescribed by 20-9-303 plus the per-ANB amount determined by dividing the state financing of the district permissive levy by the ANB of the district, from the amount determined in subsection (1)(b) above.~~

(2) The tuition for a full-time high school special education pupil must be determined under rules adopted by the superintendent of public instruction for the calculation of tuition for full-time high school special education pupils as designated in 20-9-311 for funding purposes.

(3) Before July 15, the trustees shall report to the county superintendent of the county in which the district is located:

(a) the names, addresses, and resident districts of the pupils attending the schools of the district under an approved tuition agreement;

(b) the number of days of school attended by each pupil;

(c) the amount, if any, of each pupil's tuition payment that the trustees, in their discretion, ~~shall~~ have the authority to waive; and

(d) the rate of current school fiscal year tuition, as determined under the provisions of this section.

(4) When the county superintendent receives a tuition report from a district, he shall immediately send the reported information to the superintendent of each district in which the reported pupils reside.

(5) When the district superintendent receives a tuition report or reports for high school pupils residing in his district and attending an out-of-district high school under approved tuition agreements, he shall determine the total amount of tuition due ~~such~~ the out-of-district high schools on the basis of the following per-pupil schedule: the rate of tuition, number of pupils attending under an approved tuition agreement, and other information provided by each high school district where resident district pupils have attended school.

(6) The total amount of the high school tuition, with consideration of any tuition waivers, for pupils attending a high school outside the county of residence ~~shall~~ must be financed by the county basic special tax for high schools as provided in 20-9-334. In December, the county superintendent shall cause the payment by county warrant of at least one-half of the high school tuition obligations established under this section out of the first ~~moneys~~ proceeds realized from the county basic special tax for high schools. The remaining obligations must be paid by June 15 of the school fiscal year. The payments ~~shall~~ must be made to the county treasurer of the county where each high school entitled to tuition is located. The county treasurer shall credit ~~such~~ the tuition receipts to the general fund of the applicable high school district, and the tuition receipts ~~shall~~ must be used in accordance with the provisions of 20-9-141.

(7) For pupils attending a high school outside their district of residence but within the county of residence, the total amount of the tuition, with consideration of any tuition waivers, must be paid during the ensuing school fiscal year. The trustees of the sending high school district shall include the tuition amount in the tuition fund of the preliminary and final budgets. This budgeted tuition amount is not subject to the budget adjustment provisions of 20-9-132. The county superintendent shall report the net tuition fund levy requirement for each high school district to the county commissioners on the second Monday of August, and a levy on the district ~~shall~~ must be made by the county commissioners in accordance with 20-9-142. This levy requirement ~~shall~~ must be calculated by subtracting from the total expenditure amount authorized in the final tuition fund budget the sum of the cash balance in the tuition fund at the end of the immediately preceding school fiscal year plus any other anticipated money that may be realized in the tuition fund. The trustees shall pay by warrants drawn on the tuition fund the tuition amounts owed to each district included in the county superintendent's notification. Payments ~~shall~~ must be made whenever there is a sufficient amount of cash available in the tuition fund but no later than the end of the school fiscal year for which the budget is adopted. However, if the trustees of either the sending or receiving high school district feel the transfer privilege provided by this subsection is being abused, they may appeal to the county superintendent of schools, who shall hold a hearing and either approve or disapprove the transfer."

Section 11. Section 20-6-401, MCA, is amended to read:

"20-6-401. Definitions. As used in this part, unless the context clearly indicates otherwise, the following definitions apply:

(1) "Component districts" ~~are~~ means the elementary or high school districts incorporated into the enlarged district.

(2) "Eligible pupils" ~~shall be~~ means the average number belonging (ANB) for the current school year in the operating schools of the component districts and the tuition pupils residing in the component districts and attending another district's school under the tuition provisions of the school laws, except that the pupils residing in the component district having the largest total number of pupils ~~shall be~~ are ineligible for bonus payment consideration.

(3) "Enlarged district" ~~is~~ means the elementary or high school district resulting from the consolidation or annexation of two or more component districts.

(4) "General bonus payment" for first- and second-class school districts ~~shall~~ must be \$300 per eligible pupil per year for a period of 3 years and ~~will~~ must be deposited in the enlarged district's general fund. General bonus payment for third-class school districts ~~shall~~ must be \$500 per eligible pupil per year for a period of 3 years and ~~will~~ must be deposited in the enlarged district's general fund. ~~Such~~ The general bonus payment shall must be made from the state school equalization aid account.

(5) ~~"Transportation bonus payment" will be the provision of 66 ⅔% state financing of the on-schedule transportation amount as provided by the transportation provisions of the school laws. When an eligible pupil is entitled to transportation, the enlarged district shall be entitled to the transportation bonus payment for such eligible pupil for a period of 3 years. Such payment shall be made from the state transportation aid account. When the eligible pupil rides a bus providing transportation for ineligible pupils, the 66 ⅔% state financing of the on-schedule amount for this payment shall be prorated to provide such financing for the eligible pupil."~~

Section 12. Section 20-6-506, MCA, is amended to read:

"20-6-506. Budgeting and cost sharing when junior high school operated by elementary district and high school district operating a county high school. (1) Whenever the opening of a junior high school is approved for the ensuing school fiscal year under 20-6-505, the county superintendent shall estimate the average number belonging (ANB) after investigating the probable enrollment for the junior high school. The ANB determined by the county superintendent and the ANB actually realized in subsequent school fiscal years ~~shall~~ must be applied under 20-9-320 to prorate ~~the maximum general fund budget without a voted levy foundation program amount~~ between the elementary and high school districts. Each district shall adopt its general fund budget on the basis of the prorated amount and shall finance its proportionate share of the cost of operating the junior high school.

(2) The cost of operating the junior high school ~~shall~~ must be prorated between the elementary district and the high school district on the basis of the ratio that the number of pupils of their district is to the total enrollment of the junior high school."

Section 13. Section 20-6-603, MCA, is amended to read:

"20-6-603. Trustees' authority to acquire or dispose of sites and buildings — when election required. (1) The trustees of any district ~~shall have the authority to~~ may purchase, build, exchange, or otherwise acquire, ~~or sell, or otherwise~~ dispose of sites and buildings of the district. ~~Such action shall~~ Action may not be taken by the trustees without the approval of the qualified electors of the district at an election called for ~~such~~ the purpose of approval unless:

(a) a bond issue has been authorized for the purpose of constructing, purchasing, or acquiring the site or building;

(b) an additional levy under the provisions of 20-9-353 has been approved for the purpose of constructing, purchasing, or acquiring the site or building;

(c) the cost of constructing, purchasing, or acquiring the site or building is financed without exceeding the

~~maximum general fund budget without a vote amount prescribed in 20-9-316 through 20-9-321~~ foundation program amount provided in 20-9-303, and; in the case of a site purchase, the site has been approved under the provisions of 20-6-621; or

(d) ~~moneys are~~ money is otherwise available under the provisions of this title and the ballot for the site approval for ~~such~~ the building incorporated a description of the building to be located on the site.

(2) When an election is conducted under the provisions of this section, it ~~shall~~ must be called under the provisions of 20-20-201 and ~~shall~~ must be conducted in the manner prescribed by this title for school elections. An elector qualified to vote under the provisions of 20-20-301 ~~shall be permitted to~~ may vote in ~~such~~ the election. If a majority of those electors voting at the election approve the proposed action, the trustees may take the proposed action."

Section 14. Section 20-6-608, MCA, is amended to read:

"20-6-608. Authority and duty of trustees to insure district property. The trustees of any district shall ~~have the authority and it shall be their duty to~~ insure any or all real and personal property of the district. The trustees shall include the cost of insurance in the general fund budget of the district."

Section 15. Section 20-7-414, MCA, is amended to read:

"20-7-414. Determination of children in need and type of special education needed — approval of classes and programs by superintendent. (1) The determination of the children requiring special education and the type of special education needed by these children ~~shall be~~ is the responsibility of the trustees, and ~~such~~ the determination ~~shall~~ must be made in compliance with the procedures established in the rules of the superintendent of public instruction. Whenever the trustees of a school district or the governing authority of an institution learn of a handicapped child in their jurisdiction who is in need of special education, they shall determine whether the child is in need of a surrogate parent by determining whether the parents or guardian is unknown or unavailable or if the child is a ward of the state. The determination must be made within 10 days of the date on which the trustees of a school district or the governing authority of an institution learned of the presence of the child in the district. If the child is in need of a surrogate parent, the trustees of a school district or the governing authority of an institution must nominate a surrogate parent for the child as provided in 20-7-461.

(2) Whenever the trustees of any district intend to establish a special education class or program, they shall apply for approval and funding of the class or program by the superintendent of public instruction. The superintendent of public instruction shall approve or disapprove the application for the special education class or program on the basis of its compliance with the laws of the state of Montana, the special education policies adopted by the board of public education, and the rules of the superintendent of public instruction. No special education class may be operated by the trustees without the approval of the superintendent of public instruction. Each special education class or program must be approved annually to be funded as part of the ~~maximum budget without a vote~~ foundation program for special education."

Section 16. Section 20-7-422, MCA, is amended to read:

“20-7-422. Out-of-state tuition for special education children. (1) If the trustees of any district recommend to the superintendent of public instruction the attendance of a child in need of special education in a special education program offered outside of the state of Montana, ~~such~~ the arrangements ~~shall~~ are not be subject to the out-of-state attendance provisions of the laws governing the attendance of pupils in schools outside the state of Montana.

(2) Whenever the attendance of a child at an out-of-state special education program is approved by the superintendent of public instruction, ~~it shall be the responsibility of the superintendent of public instruction shall~~, in cooperation with the department of family services, ~~to negotiate the program for the child and the amount and manner of payment of tuition. The amount of tuition shall must be included as a contracted service in 20-7-431(1)(a)(iii)(A) in the maximum budget without a vote~~ foundation program amount for special education.”

Section 17. Section 20-7-431, MCA, is amended to read:

“20-7-431. Allowable cost schedule for special programs — superintendent to make rules — annual accounting. (1) For the purpose of determining the ~~maximum budget without a vote~~ foundation program amount for special education as defined in 20-9-321, the following schedule of allowable costs ~~shall must~~ be followed by the school district in preparation of its special education budget for state aid request purposes and by the superintendent of public instruction in his review and approval of the budget (for the purposes of determining the amount of the ~~maximum budget without a vote~~ foundation program for special education for the district, and as used in this schedule, “full-time special pupil” and “regular ANB” are to be determined in accordance with 20-9-311 and 20-9-313):

(a) instruction: salaries, benefits, supplies, textbooks, and other expenses including:

(i) salaries and benefits of special program teachers, regular program teachers, teacher aides, special education supervisors, audiologists, and speech and hearing clinicians—the entire cost if employed full time in the special program; if such personnel are shared between special and regular programs—a portion of the entire cost corresponding to the entire working time which each ~~such~~ person devotes to the special program;

(ii) teaching supplies and textbooks if used exclusively for special programs—the actual total cost;

(iii) other expenses:

(A) contracted services, including fees paid for professional advice and consultation regarding special students or the special program, and the delivery of special education services by public or private agencies—the actual total cost;

(B) transportation costs for special education personnel who ~~must~~ travel on an itinerant basis from school to school or district to district or to in-state child study team meetings or in-state individualized education program meetings—the actual cost to the district

calculated on the same mileage rate used by the district for other travel reimbursement purposes;

(b) supportive services, including:

(i) salaries and benefits of professional supportive personnel—the entire cost if employed full time in the special program; if such personnel are shared between special and regular programs—a portion of the entire cost corresponding to the entire working time which each ~~such~~ person devotes to the special program. Professional supportive personnel may include counselors, social workers, psychologists, psychometrists, physicians, nurses, and physical and occupational therapists.

(ii) salaries and benefits of clerical personnel ~~for~~ who assist professional personnel in supportive services—the entire cost if employed full time in the special program; if such personnel are shared between special and regular programs—a portion of the entire cost corresponding to the entire working time which each ~~such~~ person devotes to the special program;

(c) equipment:

(i) equipment—the actual total cost;

(ii) special equipment for district-owned school buses necessary to accommodate special students—the actual total cost;

(iii) special equipment for school buses contracted to transport special students—that portion of the contract price attributable to the cost of special equipment or personnel required to accommodate special students—the actual special cost;

(iv) repair and maintenance of equipment—the actual total cost;

(d) room and board costs when the special pupil has to attend a program at such a distance from his home that commuting is undesirable as determined by the superintendent of public instruction.

(2) The superintendent of public instruction shall, ~~prior to September 1, 1977, revise the~~ adopt rules in accordance with the policies of the board of public education for:

(a) keeping necessary records for supportive and administrative personnel and any personnel shared between special and regular programs;

(b) defining the total special program caseload that ~~shall~~ must be assigned to specific support persons and the kinds of professional specialties to be considered relevant to the program before the district may count an allowable cost under subsection (1)(b) of this section; and

(c) defining the kinds or types of equipment whose costs may be counted under subsection (1)(c)(i) of this section.

(3) An annual accounting of all expenditures of school district general fund ~~moneys~~ money for special education ~~shall~~ must be made by the district trustees on forms furnished by the superintendent of public instruction. The superintendent of public instruction shall make rules for ~~such~~ the accounting.

(4) If a board of trustees chooses to exceed the budget approved by the superintendent of public instruction, costs in excess of the approved budget may not be reimbursed under the ~~maximum-budget-without-a-vote~~ foundation program for special education.

(5) Allowable costs prescribed in this section ~~do not~~ include the costs of the teachers' retirement system, the public employees' retirement system, the federal social security system, or the costs for unemployment compensation insurance.

(6) (a) Notwithstanding other provisions of the law, the superintendent of public instruction ~~shall may~~ not approve a ~~maximum-budget-without-a-vote~~ foundation program amount for special education ~~which~~ that exceeds legislative appropriations; however, any unexpended balance from the first year of a biennial appropriation may be spent in the second year of the biennium in addition to the second year appropriation.

(b) If the total allowable cost of the special education budgets exceeds legislative appropriations available for special education, each district shall receive a pro rata share of the available appropriations based upon prioritized budget items as established by the superintendent of public instruction. The amount of the approved budgets in excess of the available appropriations may not be reimbursed under the ~~maximum-budget-without-a-vote~~ foundation program for special education and is the responsibility of the school district."

Section 18. Section 20-7-442, MCA, is amended to read:

"20-7-442. State transportation reimbursement for special education children. Districts providing children with transportation to a special education class or program and complying with the special education transportation regulations promulgated by the superintendent of public instruction ~~shall be~~ are eligible for a the state transportation reimbursement under the provisions of 20-10-145. The reimbursement ~~shall must~~ be calculated from a schedule established by the superintendent of public instruction ~~with the state providing two-thirds of the reimbursement and the county in which the children reside providing the remainder.~~"

Section 19. Section 20-9-104, MCA, is amended to read:

"20-9-104. General fund cash reserve. (1) At the end of each school fiscal year, the trustees of each district shall designate ~~what~~ that the portion of the general fund end-of-the-year cash balance ~~shall that~~ is to be earmarked as cash reserve for the purpose of paying general fund warrants issued by the district from July 1 to November 30 of the ensuing school fiscal year. The amount of the general fund cash balance that is earmarked as cash reserve ~~shall may~~ may not exceed 35% the following percentages of the final general fund budget for the ensuing school fiscal year and shall:

(a) 35% for a district that did not receive state equalization aid during the current school fiscal year;

(b) 30% for a district that received state equalization aid equal to 25% or less of its foundation program schedule entitlement in the current school fiscal year; and

(c) 20% for a district that received state equalization aid equal to more than 25% of its foundation program schedule entitlement in the current school fiscal year.

(2) The amount held as cash reserve may not be used for property tax reduction in the manner permitted by 20-9-141(1)(b) for other receipts. Any portion of the general fund end-of-the-year cash balance that is not earmarked for cash reserve purposes ~~shall be~~ is cash reappropriated ~~which shall~~ and must be used for property tax reduction as provided in 20-9-141(1)(b)(iii).

(3) The limitation of subsection (1) does not apply when the amount in excess of the limitation is equal to or less than any amount received under Public Law 81-874 during the current school fiscal year."

Section 20. Section 20-9-141, MCA, is amended to read:

"20-9-141. Computation of general fund net levy requirement by county superintendent. (1) The county superintendent shall compute the levy requirement for each district's general fund on the basis of the following procedure:

(a) Determine the total of the funding required for the district's final general fund budget less the amount established by the foundation program schedules ~~in 20-9-316 through 20-9-321~~ by totaling:

(i) the district's nonisolated school foundation program requirement to be met by a district levy as provided in 20-9-303;

~~(ii) the district's permissive levy amount as provided in 20-9-352;~~
and

~~(iii)~~(ii) any additional general fund budget amount adopted by the trustees of the district under the provisions of 20-9-353, including any additional levies authorized by the electors of the district.

(b) Determine the ~~total of the moneys~~ money available for the reduction of the property tax on the district for the general fund by totaling:

(i) anticipated federal ~~moneys~~ money received under the provisions of Title I of Public Law 81-874 or other anticipated federal ~~moneys~~ money received in lieu of ~~such federal~~ that act;

(ii) anticipated tuition payments for out-of-district pupils under the provisions of 20-5-303, 20-5-307, 20-5-312, and 20-5-313;

(iii) general fund cash reappropriated, as established under the provisions of 20-9-104;

(iv) anticipated or reappropriated state impact aid received under the provisions of 20-9-304;

(v) anticipated revenue from ~~vehicle~~ property taxes and fees imposed under 23-2-517, 23-2-803, 61-3-504(2), 61-3-521, and 61-3-537, and 67-3-204;

(vi) anticipated net proceeds taxes for interim production and new production, as defined in 15-23-601;

(vii) anticipated interest to be earned or reappropriated interest earned by the investment of general fund cash in accordance with the provisions of 20-9-213(4); ~~and~~

(viii) anticipated revenue from corporation license taxes collected from financial institutions under the provisions of 15-31-702; and

~~(viii)~~(ix) any other revenue anticipated by the trustees to be received during the ensuing school fiscal year which may be used to finance the general fund.

(c) Subtract the ~~total of the moneys~~ money available to reduce the property tax required to finance the general fund that has been determined in subsection (1)(b) from the total requirement determined in subsection (1)(a).

(2) The net general fund levy requirement determined in subsection (1)(c) ~~shall must~~ be reported to the county commissioners on the second Monday of August by the county superintendent as the general fund levy requirement for the district, and a levy ~~shall must~~ be made by the county commissioners in accordance with 20-9-142.”

Section 21. Section 20-9-201, MCA, is amended to read:

“20-9-201. Definitions and application. (1) As used in this title, unless the context clearly indicates otherwise, “fund” means a separate detailed account of receipts and expenditures for a specific purpose as authorized by law. Funds are classified as follows:

(a) A “budgeted fund” means any fund for which a budget must be adopted in order to expend ~~any~~ money from ~~such the~~ the fund. The general fund, transportation fund, bus depreciation reserve fund, elementary tuition fund, ~~retirement fund~~, debt service fund, leased facilities fund, building reserve fund, adult education fund, nonoperating fund, ~~vocational-technical center fund~~, and any other funds so designated by the legislature ~~shall be~~ are budgeted funds.

(b) A “nonbudgeted fund” means any fund for which a budget is not required in order to expend ~~any~~ money on deposit in ~~such the~~ the fund. The school food services fund, miscellaneous federal programs fund, building fund, lease or rental agreement fund, traffic education fund, interlocal cooperative fund, and any other funds so designated by the legislature ~~shall be~~ are nonbudgeted funds.

(2) The school financial administration provisions of this title apply to all money of any elementary or high school district except the extracurricular money realized from pupil activities. Elementary and high school districts shall record the receipt and disbursement of all money in accordance with generally accepted accounting principles. The superintendent of public instruction has general supervisory authority as prescribed by law over the school financial administration provisions, as they relate to elementary and high school districts, ~~as prescribed by law and He shall establish such adopt rules as are necessary to secure compliance with the law.”~~

Section 22. Section 20-9-212, MCA, is amended to read:

“20-9-212. Duties of county treasurer. The county treasurer of each county shall:

(1) receive and hold all school money subject to apportionment and keep a separate accounting of its apportionment to the several districts which are entitled to a portion of ~~such the~~ the money according to the apportionments ordered by the county superintendent. A separate accounting ~~shall must~~ be maintained for each county fund supported by a countywide levy for a specific, authorized purpose, including:

- (a) the basic county tax in support of the elementary foundation programs;
 - (b) the basic special tax for high schools in support of the high school foundation programs; and
 - ~~(c) the county tax in support of the county's high school transportation obligation;~~
 - ~~(d) the county tax in support of the high school obligations to the retirement systems of the state of Montana;~~
 - ~~(e) any additional county tax required by law to provide for deficiency financing of the elementary foundation programs;~~
 - ~~(f) any additional county tax required by law to provide for deficiency financing of the high school foundation programs; and~~
 - ~~(g)~~(c) any other county tax for schools, including the community colleges, which may be authorized by law and levied by the county commissioners;
- (2) whenever requested, notify the county superintendent and the superintendent of public instruction of the amount of county school money on deposit in each of the funds enumerated in subsection (1) of this section and the amount of any other school money subject to apportionment and apportion ~~such~~ the county and other school money to the districts in accordance with the apportionment ordered by the county superintendent;
- (3) keep a separate accounting of the expenditures for each budgeted fund included in the final budget of each district;
- (4) keep a separate accounting of the receipts, expenditures, and cash balances for each budgeted fund included in the final budget of each district and for each nonbudgeted fund established by each district;
- (5) except as otherwise limited by law, pay all warrants properly drawn on the county or district school money and properly endorsed by their holders;
- (6) receive all revenue collected by and for each district and deposit these receipts in the fund designated by law or by the district if no fund is designated by law. Interest and penalties on delinquent school taxes shall be credited to the same fund and district for which the original taxes were levied.
- (7) send all ~~revenues~~ revenue received for a joint district, part of which is situated in his county, to the county treasurer designated as the custodian of ~~such revenues~~ the revenue, no later than December 15 of each year and every 3 months thereafter until the end of the school fiscal year;
- (8) at the direction of the trustees of a district, assist the district in the issuance and sale of tax and revenue anticipation notes as provided in Title 7, chapter 6, part 11;
- (9) register district warrants drawn on a budgeted fund in accordance with 7-6-2604 when there is insufficient money available ~~in the sum of money~~ in all funds of the district to make payment of such warrant. Redemption of registered warrants ~~shall~~ must be made in accordance with 7-6-2116, 7-6-2605, and 7-6-2606.

(10) invest the money of any district as directed by the trustees of the district within 3 working days of ~~such~~ the direction;

(11) ~~give~~ each month give to the trustees of each district an itemized report for each fund maintained by the district, showing the paid warrants, outstanding warrants, registered warrants, amounts and types of revenue received, and the cash balance; ~~and~~

(12) remit promptly to the state treasurer receipts for the county tax for a vocational-technical center when levied by the board of county commissioners; and

(13) invest the money received from the basic county tax in support of the elementary foundation programs and the basic special tax in support of the high school foundation programs within 3 working days of receipt. The money must be invested until the working day before it is required to be distributed to school districts within the county or remitted to the state. Permissible investments are specified in 20-9-213(4). All investment income must be deposited, and credited proportionately, in the funds established to account for the taxes received for the purposes specified in subsections (1)(a) and (1)(b)."

Section 23. Section 20-9-213, MCA, is amended to read:

"20-9-213. Duties of trustees. The trustees of each district shall have the sole power and authority to transact all fiscal business and execute all contracts in the name of such district. No person other than the trustees acting as a governing board shall have the authority to expend moneys of the district. In conducting the fiscal business of the district, the trustees shall:

(1) cause the keeping of an accurate, detailed accounting of all receipts and expenditures of school moneys for each fund maintained by the district in accordance with generally accepted accounting principles and the rules prescribed by the superintendent of public instruction. The record of such accounting shall be open to public inspection at any meeting of the trustees.

(2) authorize all expenditures of district moneys and cause warrants to be issued for the payment of lawful obligations;

(3) have the authority to issue warrants on any budgeted fund in anticipation of budgeted revenues, except that such expenditures shall not exceed the amount budgeted for such fund;

(4) invest any moneys of the district, whenever in the judgment of the trustees such investment would be advantageous to the district, by directing the county treasurer to invest any money of the district in direct obligations of the United States government, payable within 180 days from the time of investment, or in savings or time deposits in a state or national bank, building or loan association, savings and loan association, or credit union insured by the FDIC, FSLIC, or NCUA located in the state. All interest collected on such deposits or investments shall be credited to the fund from which the money was withdrawn, except that interest earned on account of the investment of money realized from the sale of bonds shall be credited to the debt service fund or the building fund, at the discretion of the board of trustees. The placement of the investment by the county treasurer shall not be subject to ratable distribution laws and shall be done in accordance with the directive from the board of trustees. A district

may invest moneys under the state unified investment program established in Title 17, chapter 6.

(5) cause the district to record every transaction in the appropriate account before the accounts are closed at the end of the fiscal year, in order to properly report the receipt, use, and disposition of all money and property for which the district is accountable;

~~(5)~~(6) report annually to the county superintendent, not later than August 1, the financial activities of each fund maintained by the district during the last completed school fiscal year on the forms prescribed and furnished by the superintendent of public instruction. Annual fiscal reports for joint school districts shall be submitted to the county superintendent of each county in which part of the joint district is situated.

~~(6)~~(7) whenever requested, report any other fiscal activities to the county superintendent, superintendent of public instruction, or board of public education;

~~(7)~~(8) cause the accounting records of the district to be audited annually as required by law; and

~~(8)~~(9) perform, in the manner permitted by law, such other fiscal duties that are in the best interests of the district."

Section 24. Section 20-9-301, MCA, is amended to read:

"20-9-301. ~~Purpose and definition~~ of foundation program and ~~definition of general fund budget~~. (1) A uniform system of free public schools sufficient for the education of and open to all school age children of the state ~~shall~~ must be established and maintained throughout the state of Montana. The state shall aid in the support of its several school districts on the basis of their financial need as measured by the foundation program and in the manner established in this title.

(2) The principal budgetary vehicle for achieving the minimum financing as established by the foundation program ~~shall be~~ is the general fund budget of the district. The purpose of the general fund ~~shall be~~ budget is to finance those general maintenance and operational costs of a district not financed by other funds established for special purposes in this title.

(3) The amount of the general fund budget for each school fiscal year ~~shall~~ may not exceed the financing limitations established by this title but ~~shall be no~~ may not be less than the amount established by law as the foundation program. The general fund budget ~~shall~~ must be financed by the foundation program revenues and may be supplemented by ~~the permissive levy and an~~ additional voted ~~levies~~ levy in the manner provided by law."

Section 25. Section 20-9-303, MCA, is amended to read:

"20-9-303. ~~Definition of foundation program and its proportion of the maximum general fund without a voted levy schedule amount~~ — nonisolated school foundation program financing — special education funds. (1) As used in this title, the term "foundation program" ~~shall mean~~ means the minimum operating expenditures, ~~as established herein,~~ that are sufficient to provide for the educational program operation of a school. The foundation program relates only

to those expenditures authorized by a district's general fund budget and ~~shall~~ may not include expenditures from any other fund. It ~~shall~~ be is financed by:

(a) county equalization ~~moneys~~ money; ~~and~~, as provided in 20-9-331 and 20-9-333;

(b) state equalization aid, as provided in 20-9-343; and

(c) appropriations for special education.

(2) ~~The dollar amount of the foundation program shall be 80% of the maximum general fund budget without a voted levy limitation as set forth in the schedules in 20-9-316 through 20-9-321. The foundation program of an includes:~~

(a) amounts in support of general education programs as provided in the schedules in 20-9-316 through 20-9-320; and

(b) payments in support of special education programs under 20-9-321.

(3) ~~An elementary school having an ANB of nine or fewer pupils for 2 consecutive years which is not approved as an isolated school under the provisions of 20-9-302 shall be 80% of~~ may budget and spend the schedule amount, but the county and state shall participate in financing one-half of the foundation program, and the district shall finance the remaining one-half by a tax levied on the property of the district. When a school of nine or fewer pupils is approved as isolated under the provisions of 20-9-302, the county and state shall participate in the financing of the total amount of the foundation program.

(3)(4) Funds provided to support the special education accounting budget may be expended only for special education purposes as approved by the superintendent of public instruction in accordance with the special education budgeting provisions of this title. Expenditures for special education ~~shall~~ must be accounted for separately from the balance of the school district general fund. Transfers between items within the special education budget for accounting purposes may be made at the discretion of the board of trustees in accordance with the financial administration part of this title. The unexpended balance of the special education accounting budget ~~shall carry~~ carries over to the next year to reduce the amount of funding required to finance the district's ensuing year's ~~maximum budget without a vote~~ foundation program amount for special education."

Section 26. Section 20-9-311, MCA, is amended to read:

"20-9-311. Calculation of average number belonging (ANB). (1) Average number belonging ~~shall be~~ is computed by determining the total of the aggregate days of attendance by regularly enrolled, full-time pupils during the current school fiscal year plus the aggregate days of absence by regularly enrolled, full-time pupils during the current school fiscal year and by dividing ~~such~~ the total by 180. However, when a school district has approval to operate less than 180 school days under 20-9-804, ~~such~~ the total ~~shall~~ must be calculated in accordance with the provisions of 20-9-805. For the purpose of calculating ANB under this section, the days of attendance for a regularly enrolled pupil may not exceed 180 pupil instruction days and 7 pupil-instruction-related days. Attendance for a part of a

morning session or a part of an afternoon session by a pupil ~~shall be~~ is counted as attendance for one-half day. In calculating the ANB for pupils enrolled in a program established under ~~20-7-117 prior to January 1, 1974, or pursuant to~~ 20-7-117(1), attendance at or absence from a regular session of the program for at least 2 hours of either a morning or an afternoon session will be counted as one-half of a day attended or absent, as the case may be. If a variance has been granted as provided in 20-1-302, ANB will be computed in a manner prescribed by the superintendent of public instruction, but in no case ~~shall~~ may the ANB exceed one-half for each kindergarten pupil. When any pupil has been absent, with or without excuse, for more than 10 consecutive school days, including pupil-instruction-related days, his absence after the 10th day of absence ~~shall~~ may not be included in the aggregate days of absence and his enrollment in the school ~~shall~~ may not be considered in the calculation of the average number belonging until he resumes attendance at school.

(2) If a student spends less than half his time in the regular program and the balance of his time in school in the special education program, he ~~shall be~~ is considered a full-time special pupil but ~~shall~~ may not be considered regularly enrolled for ANB purposes. If a student spends half or more of his time in school in the regular program and the balance of his time in the special education program, he ~~shall be~~ is considered regularly enrolled for ANB purposes.

(3) The average number belonging of the regularly enrolled, full-time pupils for the public schools of a district must be based on the aggregate of all the regularly enrolled, full-time pupils attending the schools of the district, except that when:

(a) a school of the district is located more than 3 miles beyond the incorporated limits of a city or town or from another school of the district, all of the regularly enrolled, full-time pupils of the school must be calculated individually for ANB purposes;

(b) a junior high school has been approved and accredited as a junior high school, all of the regularly enrolled, full-time pupils of the junior high school ~~shall~~ must be considered as high school district pupils for ANB purposes;

(c) a middle school has been approved and accredited, in which case pupils below the 7th grade ~~shall~~ must be considered elementary school pupils for ANB purposes and the 7th and 8th grade pupils ~~shall~~ must be considered high school pupils for ANB purposes; or

(d) a school has not been accredited by the board of public education, the regularly enrolled, full-time pupils attending the nonaccredited school ~~shall~~ may not be eligible for average number belonging calculation purposes, nor will an average number belonging for the nonaccredited school be used in determining the foundation program for ~~such~~ the district.

(4) When 11th or 12th grade students are regularly enrolled on a part-time basis, high schools may calculate the ANB to include an "equivalent ANB" for those students. The method for calculating an equivalent ANB ~~shall~~ must be determined in a manner prescribed by the superintendent of public instruction."

Section 27. Section 20-9-312, MCA, is amended to read:

~~"20-9-312. Maximum general fund budget~~ Foundation program schedule for grades seven and eight. The ANB calculated for grades 7 and 8 ~~shall~~ must be funded at the high school rate, provided that the school meets the standards for accreditation of a middle school. When ~~such~~ the pupils are actually enrolled in an elementary school, the ~~foundation program schedule amount of the general fund budget~~ per ANB is determined from the high school schedule using the total ANB of the elementary school. To determine the total ANB of ~~such~~ an the elementary school, the 7th and 8th grade pupils ~~shall~~ must be included in ~~such~~ the total."

Section 28. Section 20-9-315, MCA, is amended to read:

"20-9-315. Maximum general fund budget and exceptions. (1) The total amount of the general fund budget of any district ~~shall~~ may not be greater than the ~~general fund budget amount specified in 20-9-316 through 20-9-321~~ district's foundation program as provided in 20-9-303, except when a district has adopted an emergency general fund budget under the provisions of 20-9-165 or when a district satisfies the requirements of 20-9-353.

(2) Notwithstanding the provisions of subsection (1), a district's maximum general fund budget may not exceed 130% of the foundation program amount for that district, except:

(a) when Public Law 81-874 funds are the source of funding for the excess amount, until the state receives approval of an application to equalize the funds under 20 U.S.C. 240(d);

(b) when a district had combined expenditures in school fiscal year 1988 from its general fund, retirement fund, and comprehensive insurance fund in an amount greater than the maximum general fund budget allowed by this section, in which case the maximum general fund budget of the district is limited to its school fiscal year 1988 combined expenditure amount until that amount does not exceed 130% of the district's foundation program amount;

(c) a nonapproved isolated school under 20-9-303(3) is not subject to the limitation."

Section 29. Section 20-9-318, MCA, is amended to read:

"20-9-318. Elementary school ~~maximum budget~~ foundation program schedule for ~~1987-88~~ school fiscal year 1991 and succeeding years. For ~~1987-88~~ the school fiscal year ending June 30, 1991 and succeeding school years, the elementary school ~~maximum budget~~ foundation program schedule is as follows:

(1) For each elementary school having an ANB of nine or fewer pupils, the maximum ~~shall be \$20,158~~ is \$28,725 if ~~said~~ the school is approved as an isolated school.

(2) For schools with an ANB of 10 pupils but less than 18 pupils, the maximum ~~shall be \$20,158~~ is \$28,725 plus \$842.50 ~~\$1,201~~ \$1,201 per pupil on the basis of the average number belonging over nine.

(3) For schools with an ANB of at least 14 pupils but less than 18 pupils that qualify for instructional aide funding under 20-9-322, the maximum ~~shall be \$23,042~~ is \$47,085 plus \$842.50 ~~\$1,201~~ \$1,201 per pupil on the basis of the average number belonging over 14.

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(4) For schools with an ANB of 18 pupils and employing one teacher, the maximum ~~shall be \$27,741~~ is \$39,531 plus \$842.50 \$1,201 per pupil on the basis of the average number belonging over 18, not to exceed an ANB of 25.

(5) For schools with an ANB of 18 pupils and employing two full-time teachers, the maximum ~~shall be \$44,290~~ is \$63,113 plus \$527.60 \$752 per pupil on the basis of the average number belonging over 18, not to exceed an ANB of 50.

(6) For schools having an ANB in excess of 40, the maximum, on the basis of the total pupils (ANB) in the district ~~for elementary pupils will be,~~ is as follows:

(a) For a school having an ANB of more than 40 and employing a minimum of three teachers, the maximum of \$1,957 ~~shall be \$2,789~~ is decreased at the rate of \$1.90 \$2.71 for each additional pupil until the total number (ANB) ~~shall have reached~~ reaches a total of 100 pupils.

(b) For a school having an ANB of more than 100 pupils, the maximum of \$1,843 ~~shall be \$2,626~~ is decreased at the rate of \$1.74 \$1.48 for each additional pupil until the ANB ~~shall have reached~~ reaches 300 pupils.

(c) For a school having an ANB of more than 300 pupils, the maximum ~~shall~~ may not exceed \$1,496 \$2,324 for each pupil.

(7) The maximum per pupil for all pupils (ANB) and for all elementary schools ~~shall~~ must be computed on the basis of the amount allowed ~~herein~~ in this section on account of the last eligible pupil (ANB). All elementary schools operated within the incorporated limits of a city or town ~~shall~~ must be treated as one school for the purpose of this schedule."

Section 30. Section 20-9-319, MCA, is amended to read:

"20-9-319. High school ~~maximum budget~~ foundation program schedule for 1987-88 school fiscal year 1991 and succeeding years. For 1987-88 the school fiscal year ending June 30, 1991 and succeeding school years, the high school ~~maximum budget~~ foundation program schedule is as follows:

(1) For each high school having an ANB of 24 or fewer pupils, the maximum ~~shall be \$114,845~~ is \$175,139.

(2) For a ~~secondary~~ high school having an ANB of more than 24 pupils, the maximum \$4,785 ~~shall be of \$7,297~~ is decreased at the rate of \$26.10 \$39.80 for each additional pupil until the ANB ~~shall have reached~~ reaches a total of 40 ~~such~~ pupils.

(3) For a school having an ANB of more than 40 pupils, the maximum of \$4,368 ~~shall be \$6,661~~ is decreased at the rate of \$26.10 \$39.80 for each additional pupil until the ANB ~~shall have reached~~ reaches 100 pupils.

(4) For a school having an ANB of more than 100 pupils, ~~a the~~ maximum of \$2,802 ~~shall be \$4,273~~ is decreased at the rate of \$4.37 \$6.66 for each additional pupil until the ANB ~~shall have reached~~ reaches 200 pupils.

(5) For a school having an ANB of more than 200 pupils, the maximum of ~~\$2,365 shall be~~ \$3,607 is decreased by ~~\$2.40~~ \$3.66 for each additional pupil until the ANB ~~shall have reached~~ reaches 300 pupils.

(6) For a school having an ANB of more than 300 pupils, the maximum of ~~\$2,125 shall be~~ \$3,241 is decreased at the rate of ~~44~~ 67 cents for each additional pupil until the ANB ~~shall have reached~~ reaches 600 pupils.

(7) For a school having an ANB ~~over of more than~~ 600 pupils, the maximum ~~shall may~~ not exceed ~~\$1,993~~ \$3,039 per pupil.

(8) The maximum per pupil for all pupils (ANB) and for all high schools ~~shall must~~ be computed on the basis of the amount allowed ~~herein in this section~~ on account of the last eligible pupil (ANB). All high schools and junior high schools which have been approved and accredited as junior high schools, operated within the incorporated limits of a city or town, ~~shall must~~ be treated as one school for the purpose of this schedule."

Section 31. Section 20-9-320, MCA, is amended to read:

"20-9-320. ~~Maximum general fund budget~~ Foundation program schedule amount for junior high school. (1) The ~~general fund budget foundation program schedule amount~~ for an approved and accredited junior high school ~~shall must~~ be prorated between the elementary district ~~general fund budget foundation program schedule amount~~ and the high school district ~~general fund budget foundation program schedule amount~~ in the following manner:

(a) determine the per-ANB schedule amount for the school, as defined by 20-9-317 and 20-9-319, from the high school schedule;

(b) calculate the ANB for the regularly enrolled full-time pupils enrolled in the 7th and 8th grades of the junior high school;

(c) multiply the per-ANB schedule amount determined in subsection (1)(a) by the ANB calculated in subsection (1)(b) to determine the authorized ~~general fund budget amount which shall be~~ available for the elementary district ~~general fund budget foundation program;~~ and

(d) subtract the amount determined in subsection (1)(c) from the total authorized ~~general fund budget amount~~ for the school to determine the authorized ~~general fund budget amount which shall be~~ available for the high school district ~~general fund budget foundation program.~~

(2) The ~~general fund budget amount~~ determined for each school of a district under the schedules provided in 20-9-316 through 20-9-319 ~~shall must~~ be totaled to determine the ~~maximum general fund budget without a voted levy~~ foundation program schedule amount for ~~such the~~ district."

Section 32. Section 20-9-321, MCA, is amended to read:

"20-9-321. ~~Maximum general fund budget~~ Foundation program and contingency funds for special education. (1) For the purpose of establishing the ~~maximum budget without a vote~~ foundation program amount for a current year special education program for a school district, the superintendent of public instruction ~~will shall~~ determine the total estimated cost of the special education program

for the school district on the basis of a special education program budget submitted by the district. The budget ~~will~~ must be prepared on forms provided by the superintendent of public instruction and ~~will~~ must set out for each program:

- (a) the estimated allowable costs associated with operating the program where allowable costs are as defined in 20-7-431;
- (b) the number of pupils expected to be enrolled in the program; and
- (c) any other data required by the superintendent of public instruction for budget justification purposes and to administer the provisions of 20-9-315 through 20-9-321.

(2) The total amount of allowable costs approved by the superintendent of public instruction ~~shall be~~ is the special education ~~maximum-budget-without-a-vote~~ foundation program amount for current year special education program purposes. The total amount of allowable costs that are approved for the special education budget ~~shall~~ may not, under any condition, be less than the ~~maximum-budget-without-a-vote~~ foundation program amount for one regular ANB for each ~~special~~ full-time special pupil in the school district.

(3) If a special education program is implemented or expanded during a given school term too late to be included in the determination of the district ~~maximum-budget-without-a-vote~~ foundation program for the school year as prescribed in this part, allowable costs approved under the budgeting provisions of subsections (1) and (2) for the operation of the program during the given year must be funded from any legislative appropriation for contingency financing for special education. Contingency funds granted under this subsection must be deposited in a separate account of the miscellaneous programs fund of the district as provided in 20-9-507. However, if contingency funds are not available, then subject to the approval of the program by the superintendent under the emergency budget provisions of 20-9-161(5), allowable costs for the given year may be added to the ~~maximum-budget-without-a-vote~~ foundation program amount for special education for the subsequent school year. ~~Such~~ The allowable costs must be recorded as previous year special education expenses in the school district budget for the subsequent school year.

(4) The sum of the previous year special education expenses as defined in subsection (3) ~~above~~ and the ~~maximum-budget-without-a-vote~~ foundation program amount for current year special education as defined in subsections (1) and (2) ~~shall be~~ is the special education budget for accounting purposes.

(5) The ~~maximum-budget-without-a-vote~~ foundation program amount for special education ~~will~~ must be added to the ~~maximum-budget-without-a-vote~~ foundation program amount of the regular program ANB defined in 20-9-311 and 20-9-313 to obtain the total ~~maximum-budget-without-a-vote~~ foundation program amount for the district."

Section 33. Section 20-9-322, MCA, is amended to read:

"20-9-322. Elementary instructional aide funding qualification. (1) Any elementary school that anticipates an ANB of at least 14 but less than 18 pupils for the ensuing school fiscal year may determine

the ~~maximum general fund budget~~ foundation program amount under the provisions of 20-9-316(3) or 20-9-318(3) if eligibility is approved in accordance with the following provisions:

(a) No later than May 10 of each year, the school district shall submit its application for approval for instructional aide funding to the superintendent of public instruction. The application ~~shall~~ must include:

(i) the previous year's ANB;

(ii) an estimate of the current school fiscal year's ANB, as calculated under the provisions of 20-9-314(1), and the number of grade levels being taught on May 1 of the current year;

(iii) an estimate of the ANB and the number of grade levels anticipated for the ensuing school fiscal year;

(iv) the factual information on which such estimates are based; and

(v) any other information or data that may be required by the superintendent of public instruction.

(b) The superintendent of public instruction shall immediately review all of the factors of the application and shall approve the application if the anticipated ANB is at least 14 but less than 18 pupils and a minimum of five grade levels are being taught as of May 1 of the current year or documentation is provided which indicates that the anticipated ANB will require a minimum of five grade levels to be taught in the ensuing school year.

(2) Whenever a school district applies for and is approved for instructional aide funding under the provisions of subsection (1), the district ~~must~~ shall hire an instructional aide.

(3) For the purposes of this section, the term "instructional aide" means:

(a) a person who is under the direct supervision of a teacher; or

(b) a certified teacher."

Section 34. Section 20-9-331, MCA, is amended to read:

"20-9-331. Basic county tax and other revenues for county equalization of the elementary district foundation program. (1) ~~It shall be the duty of the~~ The county commissioners of each county ~~to~~ shall levy an annual basic tax of ~~28~~ 34 mills on the ~~dollars~~ dollar of the taxable value of all taxable property within the county, except for ~~vehicles subject to taxation under 61-3-504(2)~~ property subject to a tax or fee under 23-2-517, 23-2-803, 61-3-504(2), 61-3-521, 61-3-537, and 67-3-204, for the purposes of local and state foundation program support. The revenue ~~to be~~ collected from this levy ~~shall~~ must be apportioned to the support of the foundation programs of the elementary school districts in the county and to the state special revenue fund, state equalization aid account, in the following manner:

(a) In order to determine the amount of revenue raised by this levy which is retained by the county, the sum of the estimated ~~revenues~~ revenue identified in subsection (2) ~~below shall~~ must be subtracted from the ~~sum of the county elementary transportation obligation and~~ the total of the foundation programs of all elementary districts of the county.

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(b) If the basic levy prescribed by this section produces more revenue than is required to finance the difference determined ~~above~~ in subsection (1)(a), the county treasurer shall remit the surplus funds to the state treasurer for deposit to the state special revenue fund, state equalization aid account, immediately upon occurrence of a surplus balance and each subsequent month thereafter, with any final remittance due no later than June 20 of the fiscal year for which the levy has been set.

(c) If revenue from the basic levy prescribed by this section when combined with the other revenue from subsection (2) is insufficient to fully fund the percentage determined in 20-9-347(1)(b), and the county is eligible for an apportionment of state equalization aid under the provisions of 20-9-347(1)(c), the county superintendent shall notify the superintendent of public instruction of the deficiency. The superintendent of public instruction shall increase the state equalization aid payments to the districts in the affected county to offset the deficiency. A payment may not be made under this subsection (1)(c) that allows a district to receive foundation program funding in excess of the foundation program amount of the district.

(2) The ~~proceeds~~ revenue realized from the county's portion of the levy prescribed by this section and the ~~revenues~~ revenue from the following sources ~~shall~~ must be used for the equalization of the elementary district foundation programs of the county as prescribed in 20-9-334, and a separate accounting ~~shall~~ must be kept of ~~such proceeds and revenues~~ the revenue by the county treasurer in accordance with 20-9-212(1):

(a) the portion of the federal Taylor Grazing Act funds distributed to a county and designated for the common school fund under the provisions of 17-3-222;

(b) the portion of the federal flood control act funds distributed to a county and designated for expenditure for the benefit of the county common schools under the provisions of 17-3-232;

(c) all money paid into the county treasury as a result of fines for violations of law, except money paid to a justice's court, and the use of which is not otherwise specified by law;

(d) any money remaining at the end of the immediately preceding school fiscal year in the county treasurer's ~~account~~ accounts for the various sources of revenue established or referred to in this section;

(e) any federal or state money distributed to the county as payment in lieu of the property taxation established by the county levy required by this section, including federal forest reserve funds allocated under the provisions of 17-3-213;

(f) net proceeds taxes for interim production and new production, as defined in 15-23-601; and

(g) anticipated revenue from vehicle property taxes and fees imposed under 23-2-517, 23-2-803, 61-3-504(2), 61-3-521, and 61-3-537, and 67-3-204."

Section 35. Section 20-9-333, MCA, is amended to read:

"20-9-333. Basic special levy and other revenues for county equalization of high school district foundation program. (1) ~~It shall be the~~

~~duty of the~~ The county commissioners of each county ~~to~~ shall levy an annual basic special tax for high schools of ~~17~~ 21 mills on the dollar of the taxable value of all taxable property within the county, except for ~~vehicles subject to taxation under 61-3-504(2)~~ property subject to a tax or fee under 23-2-517, 23-2-803, 61-3-504(2), 61-3-521, 61-3-537, and 67-3-204, for the purposes of local and state foundation program support. The revenue ~~to be~~ collected from this levy ~~shall~~ must be apportioned to the support of the foundation programs of high school districts in the county and to the state special revenue fund, state equalization aid account, in the following manner:

(a) In order to determine the amount of revenue raised by this levy which is retained by the county, the sum of the estimated ~~revenues~~ revenue identified in ~~subsections (2)(a) and (2)(b)~~ below ~~shall~~ subsection (2) must be subtracted from the sum of the county's high school tuition obligation and the total of the foundation programs of all high school districts of the county.

(b) If the basic levy prescribed by this section produces more revenue than is required to finance the difference determined ~~above~~ in subsection (1)(a), the county treasurer shall remit the surplus to the state treasurer for deposit to the state special revenue fund, state equalization aid account, immediately upon occurrence of a surplus balance and each subsequent month thereafter, with any final remittance due no later than June 20 of the fiscal year for which the levy has been set.

(c) If revenue from the basic levy prescribed by this section when combined with the other revenue from subsection (2) is insufficient to fully fund the percentage determined in 20-9-347(1)(b), and the county is eligible for an apportionment of state equalization aid under the provisions of 20-9-347(1)(c), the county superintendent shall notify the superintendent of public instruction of the deficiency. The superintendent of public instruction shall increase the state equalization aid payments to the districts in the affected county to offset the deficiency. A payment may not be made under this subsection (1)(c) that allows a district to receive foundation program funding in excess of the foundation program amount of the district.

(2) The ~~proceeds~~ revenue realized from the county's portion of the levy prescribed in this section and the ~~revenues~~ revenue from the following sources ~~shall~~ must be used for the equalization of the high school district foundation programs of the county as prescribed in 20-9-334, and a separate accounting ~~shall~~ must be kept of ~~these proceeds~~ the revenue by the county treasurer in accordance with 20-9-212(1):

(a) any money remaining at the end of the immediately preceding school fiscal year in the county treasurer's accounts for the various sources of revenue established in this section;

(b) any federal or state ~~moneys~~ money distributed to the county as a payment in lieu of the property taxation ~~established by the county levy required by this section~~, including federal forest reserve funds allocated under the provisions of 17-3-213;

(c) net proceeds taxes for interim production and new production, as defined in 15-23-601; and

(d) anticipated revenue from ~~vehicle~~ property taxes and fees imposed under 23-2-517, 23-2-803, 61-3-504(2), 61-3-521, ~~and~~ 61-3-537, and 67-3-204."

Section 36. Section 20-9-334, MCA, is amended to read:

"20-9-334. Apportionment of county equalization ~~moneys~~ money by county superintendent. The county superintendent shall separately apportion the revenues deposited in the basic county tax account and the revenues deposited in the basic special tax for high schools account to the several districts of the county on a monthly basis. The apportionments ~~shall~~ must be known as "county equalization ~~moneys~~ money". Before the county superintendent makes the monthly apportionments, ~~he~~ the county superintendent shall-

~~(1) deduct from the revenues available in the basic county tax account the amount required for the month to pay the county's obligation for elementary transportation reimbursements; and~~

~~(2) deduct from the revenues available in the basic special tax for high schools account the amount required for the month to pay the county's obligation for high school out-of-county tuition."~~

Section 37. Section 20-9-343, MCA, is amended to read:

"20-9-343. Definition of and revenue for state equalization aid. (1) As used in this title, the term "state equalization aid" means ~~those moneys~~ the money deposited in the state special revenue fund as required in this section plus any legislative appropriation of money from other sources for distribution to the public schools for the purpose of equalization of the foundation program.

(2) ~~The legislative appropriation legislature shall biennially appropriate money for state equalization aid shall be made in a single sum for the biennium.~~ The superintendent of public instruction ~~has authority to~~ may spend ~~such the~~ appropriation, together with the earmarked revenues provided in subsection (3), as required for foundation program purposes throughout the biennium.

(3) The following ~~shall~~ must be paid into the state special revenue fund for state equalization aid to public schools of the state:

(a) ~~31.8% of all~~ money received from the collection of income taxes under chapter 30 of Title 15, as provided by 15-1-501;

(b) ~~25% of all money,~~ except as provided in 15-31-702, money received from the collection of corporation license and income taxes under chapter 31 of Title 15, as provided by 15-1-501;

(c) ~~100% of the~~ money allocated to state equalization from the collection of the severance tax on coal;

(d) ~~100% of the~~ money received from the treasurer of the United States as the state's shares of oil, gas, and other mineral royalties under the federal Mineral Lands Leasing Act, as amended;

(e) interest and income money described in 20-9-341 and 20-9-342;

(f) income from the education trust fund account; ~~and~~

(g) money received from the state equalization aid levy under [section 49];

(h) income from the lottery, as provided in 23-5-1027; and

~~(g)~~(i) in addition to these revenues, the surplus revenues collected by the counties for foundation program support according to 20-9-331 and 20-9-333.

(4) Any surplus revenue in the state equalization aid account in the second year of a biennium may be used to reduce the appropriation required for the next succeeding biennium."

Section 38. Section 20-9-344, MCA, is amended to read:

"20-9-344. Purpose of state equalization aid and duties of the board of public education for distribution — conditions of first payment.

(1) The money available for state equalization aid ~~shall~~ must be distributed and apportioned to provide an annual minimum operating revenue for the elementary and high schools in each county, exclusive of revenues required for debt service and for the payment of any ~~and all~~ costs and expense incurred in connection with any adult education program, recreation program, school food services program, new buildings, ~~new~~ and grounds, and transportation.

(2) The board of public education shall administer and distribute the state equalization aid in the manner and with the powers and duties provided by law. To this end, the board of public education shall:

(a) adopt policies for regulating the distribution of state equalization aid in accordance with the provisions of law and in a manner that ~~would most effectively meet the financial needs of districts~~ provides for monthly distribution to each district of its equalization aid entitlement;

(b) have the power to require ~~such~~ reports from the county superintendents, budget boards, county treasurers, and trustees as it ~~may deem~~ considers necessary; and

(c) order the superintendent of public instruction to distribute the state equalization aid on the basis of each district's annual entitlement to ~~such~~ the aid as established by the superintendent of public instruction. In ordering the distribution of state equalization aid, the board of public education ~~shall~~ may not increase or decrease the state equalization aid distribution to any district on account of any difference ~~which~~ that may occur during the school fiscal year between budgeted and actual receipts from any other source of school revenue.

(3) The board of public education may order the superintendent of public instruction to withhold distribution of state equalization aid from a district, in an amount and under conditions determined by the board of public education, when the district fails to:

(a) submit reports or budgets as required by law or rules adopted by the superintendent of public instruction or the board of public education;

(b) maintain accredited status; or

(c) comply with any other requirement of law or rules adopted by the superintendent of public instruction or the board of public education.

~~(3)~~(4) Should a district receive more state equalization aid than it is entitled to, the county treasurer ~~must~~ shall return the overpayment to the state upon the request of the superintendent of public instruction in the manner prescribed by the department of commerce.

~~(4)~~(5) (a) The first payment of state equalization aid must be—

~~(a)~~ based on an estimate of 20% of each district's entitlement; and

~~(b)~~ distributed by July 15 of the school fiscal year.

(b) Each subsequent monthly payment must be at least 7% of the district's entitlement."

Section 39. Section 20-9-353, MCA, is amended to read:

"20-9-353. Additional levy for general fund — election for authorization to impose. (1) The Except as limited by 20-9-315(2), the trustees of any district may propose to adopt a general fund budget in excess of the general fund budget amount foundation program for such the district as established by the schedules in 20-9-316 through 20-9-321 for any of the following purposes:

(a) building, altering, repairing, or enlarging any schoolhouse of the district;

(b) furnishing additional school facilities for the district;

(c) acquisition of land for the district;

(d) proper maintenance and operation of the school programs of the district.

(2) When the trustees of any district determine that an additional amount of financing is required for the general fund budget that is in excess of the statutory schedule amount, the trustees shall submit the proposition of an additional levy to raise ~~such the~~ excess amount of general fund financing to the electors who are qualified under 20-20-301 to vote upon ~~such the~~ proposition, except that ~~no an~~ election ~~shall be~~ is not required to permit the school trustees to use any funds available to finance the additional amount other than those funds to be raised by the additional levy. ~~Such The~~ special election ~~shall must~~ be called and conducted in the manner prescribed by this title for school elections. The ballot for ~~such the~~ election ~~shall must~~ state only the amount of money to be raised by additional property taxation, the approximate number of mills required to raise ~~such the~~ money, and the purpose for which ~~such the~~ money will be expended; ~~and it shall~~ The ballot must be in the following format:

PROPOSITION

Shall a levy be made in addition to the levies authorized by law in ~~such the~~ number of mills as may be necessary to raise the sum of (state the amount to be raised by additional tax levy), and being approximately (give number) mills, for the purpose of (insert the purpose for which the additional tax levy is made)?

☐ FOR the levy.

☐ AGAINST the levy.

(3) If the election on any additional levy for the general fund is approved by a majority vote of ~~those the~~ electors voting at ~~such the~~

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election, the proposition ~~shall carry~~ carries and the trustees may use any portion or all of the authorized amount in adopting the preliminary general fund budget. The trustees shall certify the additional levy amount authorized by ~~such a~~ the special election on the budget form that is submitted to the county superintendent, and the county commissioners shall levy ~~such~~ the authorized number of mills on the taxable value of all taxable property within the district, as prescribed in 20-9-141, ~~as are required~~ to raise the amount of ~~such~~ the additional levy.

(4) Authorization to levy an additional tax under the provisions of this section ~~shall be~~ is effective for only 1 school fiscal year and ~~shall~~ must be authorized by a special election conducted before August 1 of the school fiscal year for which it is effective."

Section 40. Section 20-9-506, MCA, is amended to read:

"20-9-506. Budgeting and net levy requirement for nonoperating fund. (1) The trustees of any district ~~which~~ that does not operate a school or will not operate a school during the ensuing school fiscal year shall adopt a nonoperating school district budget in accordance with the school budgeting provisions of this title. Such nonoperating budget ~~shall~~ must contain the nonoperating fund and, when appropriate, a debt service fund. The nonoperating budget form ~~shall~~ must be promulgated and distributed by the superintendent of public instruction under the provisions of 20-9-103.

(2) After the adoption of a final budget for the nonoperating fund, the county superintendent shall compute the net levy requirement for ~~such~~ the fund by subtracting from the amount authorized by ~~such~~ the budget the sum of:

(a) the end-of-the-year cash balance of the nonoperating fund or, if it is the first year of nonoperation, the cash balance determined under the transfer provisions of 20-9-505;

(b) the estimated state ~~and county~~ transportation ~~reimbursements~~ reimbursement; and

(c) any other ~~moneys~~ money that may become available during the ensuing school fiscal year.

(3) The county superintendent shall report the net nonoperating fund levy requirement and any net debt service fund levy requirement determined under the provisions of 20-9-439 to the county commissioners on the second Monday of August, and ~~such~~ the levies ~~shall~~ must be made on the district by the county commissioners in accordance with 20-9-142."

Section 41. Section 20-10-104, MCA, is amended to read:

"20-10-104. Penalty for violating law or rules. (1) Every district, its trustees and employees, and every person under a transportation contract with a district ~~shall be~~ are subject to the policies prescribed by the board of public education and the rules prescribed by the superintendent of public instruction. When a district knowingly violates a transportation law or board of public education transportation policy, ~~such~~ the district shall forfeit any reimbursement otherwise payable under 20-10-145 ~~and 20-10-146~~ for bus miles actually traveled during that fiscal year in violation of ~~such law~~ any laws or policies. The county superintendent shall suspend ~~all~~ such any

reimbursements payable to the district until the district corrects the violation. When the district corrects the violation, the county superintendent shall resume paying any reimbursements to the district, but the amount forfeited may not be paid to the district.

(2) When a person operating a bus under contract with a district knowingly fails to comply with the transportation law or the board of public education transportation policies, the district may not pay him for any bus miles traveled during the contract year in violation of such law or policies. Upon discovering ~~such~~ a violation, the trustees of the district shall give written notice to the person that unless the violation is corrected within 10 days of the giving of notice, the contract will be canceled. The trustees of a district shall order the operation of a bus operated under contract suspended when the bus is being operated in violation of transportation law or policies and the trustees find that ~~such~~ the violation jeopardizes the safety of pupils."

Section 42. Section 20-10-141, MCA, is amended to read:

"20-10-141. Schedule of maximum reimbursement by mileage rates. (1) The following mileage rates for school transportation constitute the maximum reimbursement to districts for school transportation from state ~~and county sources of~~ transportation revenue under the provisions of 20-10-145 ~~and 20-10-146~~. These Except as provided in 20-10-143, the rates shall may not limit the amount which a district may budget in its transportation fund budget in order to provide for the estimated and necessary cost of school transportation during the ensuing school fiscal year. All bus miles traveled on routes approved by the county transportation committee are reimbursable. Nonbus mileage is reimbursable for a vehicle driven by a bus driver to and from an overnight location of a school bus when the location is more than 10 miles from the school. A district may approve additional bus or nonbus miles within its own district or approved service area but may not claim reimbursement for such mileage. Any vehicle, the operation of which is reimbursed for bus mileage under the rate provisions of this schedule, ~~shall~~ must be a school bus, as defined by this title, driven by a qualified driver on a bus route approved by the county transportation committee and the superintendent of public instruction.

(2) The rate per bus mile traveled ~~shall~~ must be determined in accordance with the following schedule when the number of eligible transportees that board a school bus on an approved route is not less than one-half of its rated capacity:

(a) ~~72 cents in fiscal 1984 and 80 cents in fiscal 1985 and each year thereafter~~ per bus mile for a school bus with a rated capacity of not less than 12 but not more than 45 children; and

(b) when the rated capacity is more than 45 children, an additional 2 cents per bus mile for each additional child in the rated capacity in excess of 45 shall be added to a base rate of ~~72 cents in fiscal 1984 and 80 cents in fiscal 1985 and each year thereafter~~ per bus mile.

(3) Reimbursement for nonbus mileage provided for in subsection (1) may not exceed 50% of the maximum reimbursement rate determined under subsection (2).

(4) When the number of eligible transportees boarding a school bus on an approved route is less than one-half of its rated capacity, the rate per bus mile traveled ~~shall~~ must be computed as follows:

(a) determine the number of eligible transportees that board the school bus on the route;

(b) multiply the number determined in subsection (4)(a) by two and round off to the nearest whole number; and

(c) use the adjusted rated capacity determined in subsection (4)(b) as the rated capacity of the bus to determine the rate per bus mile traveled from the rate schedule in subsection (2).

(5) The rated capacity ~~shall be~~ is the number of riding positions of a school bus as determined under the policy adopted by the board of public education."

Section 43. Section 20-10-142, MCA, is amended to read:

"20-10-142. Schedule of maximum reimbursement for individual transportation. The following rates for individual transportation constitute the maximum reimbursement to districts for individual transportation from state ~~and county sources of~~ transportation revenue under the provisions of 20-10-145 ~~and 20-10-146~~. ~~These~~ The rates also ~~shall~~ constitute the limitation of the budgeted amounts for individual transportation for the ensuing school fiscal year. The schedules provided in this section ~~shall~~ may not be altered by any authority other than the legislature of the state of Montana. When the trustees contract with the parent or guardian of any eligible transportee to provide individual transportation for each day of school attendance, they shall reimburse the parent or guardian on the basis of the following schedule:

(1) When a parent or guardian transports an eligible transportee or transportees from the residence of the parent or guardian to a school or to schools located within 3 miles of one another, the total reimbursement per day of attendance ~~shall~~ must be determined by multiplying the distance in miles between the residence and the school, or the most distant school if more than one, by 2, subtracting 6 miles from the product so obtained, and multiplying the difference by 20 cents provided that:

(a) if two or more eligible transportees are transported by a parent or guardian to two or more schools located within 3 miles of one another and if such schools are operated by different school districts, the total amount of the reimbursement ~~shall~~ must be divided equally between the districts;

(b) if two or more eligible transportees are transported by a parent or guardian to two or more schools located more than 3 miles from one another, the parent or guardian ~~shall~~ must be separately reimbursed for transporting the eligible transportee or transportees to each school;

(c) if a parent transports two or more eligible transportees to a school and a bus stop which school and bus stop are located within 3 miles of one another, the total reimbursement ~~shall~~ must be determined under the provisions of this subsection and ~~shall~~ must be divided equally between the district operating the school and the district operating the bus;

(d) if a parent transporting two or more eligible transportees to a school or bus stop must, because of varying arrival and departure times, make more than one round-trip journey to the bus stop or school, the total reimbursement allowed by this section ~~shall~~ must be limited to one round trip per day for each scheduled arrival or departure time;

(e) notwithstanding subsection (1)(a), (1)(b), (1)(c), or (1)(d), ~~no~~ a reimbursement may not be less than 25 cents a day.

(2) When the parent or guardian transports an eligible transportee or transportees from the residence to a bus stop of a bus route approved by the trustees for the transportation of the transportee or transportees, the total reimbursement per day of attendance ~~shall~~ must be determined by multiplying the distance in miles between the residence and the bus stop by 2, subtracting 3 miles from the product so obtained, and multiplying the difference by 20 cents provided that:

(a) if the eligible transportees transported attend schools in different districts but ride on one bus, the districts shall divide the total reimbursement equally; and

(b) if the parent or guardian is required to transport the eligible transportees to more than one bus, the parent or guardian ~~shall~~ must be separately reimbursed for transportation to each bus.

(3) Where, due to excessive distances, impassable roads, or other special circumstances of isolation the rates prescribed in subsection (1) or (2) would be an inadequate reimbursement for the transportation costs or would result in a physical hardship for the eligible transportee, ~~his~~ the transportee's parent or guardian may request an increase in the reimbursement rate. ~~Such a~~ A request for increased rates due to isolation ~~shall~~ must be made by the parent or guardian on the contract for individual transportation for the ensuing school fiscal year by indicating the special facts and circumstances which exist to justify the increase. Before any increased rate due to isolation ~~can~~ may be paid to the requesting parent or guardian, ~~such~~ the rate must be approved by the county transportation committee and the superintendent of public instruction after the trustees have indicated their approval or disapproval. Regardless of the action of the trustees and when approval is given by the county transportation committee and the superintendent of public instruction, the trustees shall pay ~~such~~ the increased rate due to isolation. The increased rate ~~shall~~ must be 1 AB times the rate prescribed in subsection (1) above.

(4) When the isolated conditions of the household where an eligible transportee resides require ~~such~~ the eligible transportee to live away from the household in order to attend school, ~~he~~ shall be the transportee is eligible for the room and board reimbursement. Approval to receive the room and board reimbursement ~~shall~~ must be obtained in the same manner prescribed in subsection (3) above. The per diem rate for room and board ~~shall be~~ is \$5 for one eligible transportee and \$3 for each additional eligible transportee of the same household.

(5) When the individual transportation provision is ~~to be~~ satisfied by supervised home study or supervised correspondence study, the reimbursement rate ~~shall~~ must be the cost of such study, provided

that the course of instruction is approved by the trustees and supervised by the district."

Section 44. Section 20-10-143, MCA, is amended to read:

"20-10-143. Budgeting for transportation and transmittal of transportation contracts — transportation fund limitation. (1) The Except as provided in subsection (2), the trustees of any district furnishing transportation to pupils who are residents of such the district shall have the authority and it shall be their duty to provide a transportation fund budget that is adequate to finance such the district's transportation contractual obligations and any other transportation expenditures necessary for the conduct of its transportation program. The transportation fund budget shall must include:

- (a) an adequate amount to finance the maintenance and operation of district owned and operated school buses;
- (b) the annual contracted amount for the maintenance and operation of school buses by a private party;
- (c) the annual contracted amount for individual transportation, including any increased amount due to isolation, which shall must not exceed the schedule amounts prescribed in 20-10-142;
- (d) any amount necessary for the purchase, rental, or insurance of school buses; and
- (e) any other amount necessary to finance the administration, operation, or maintenance of the transportation program of the district, as determined by the trustees.

(2) The overschedule amount in the transportation fund budget of a district may not exceed the overschedule amount of expenditures from the transportation fund for school fiscal year 1988, except the superintendent of public instruction may approve a request to exceed the budget limitation if an emergency or unusual circumstance occurs, as prescribed in rules adopted by the superintendent of public instruction.

(2)(3) The trustees may include a contingency amount in the transportation fund budget for the purpose of enabling the district to fulfill any obligation to provide transportation in accordance with the transportation law for:

- (a) any pupils not residing in the district at the time of the adoption of the preliminary budget and who subsequently became residents of such the district during the school fiscal year; or
- (b) pupils who have become eligible transportees since the adoption of the preliminary budget because their legal residence has been changed. The budgeted contingency amount shall must not exceed 10% of the transportation schedule amount as calculated under the provisions of 20-10-141 and 20-10-142 for all transportation services authorized by such schedule and provided by the district unless 10% of such the transportation schedule amount shall be is less than \$100, in which case \$100 shall must be the maximum limitation for such budgeted contingency amount.

(3)(4) As provided in 20-9-162, an emergency transportation fund budget may be adopted subject to the provisions of the emergency budgeting law.

(4)(5) The transportation fund budgeted expenditures appropriated by the trustees ~~shall~~ must be reported on the regular budget form prescribed by the superintendent of public instruction in accordance with 20-9-103, and the adoption of the transportation fund budget ~~shall~~ must be completed in accordance with the school budgeting laws. When the adopted preliminary budget is sent to the county superintendent, the trustees shall also send copies of all completed transportation contracts for school bus transportation and individual transportation to the county superintendent. ~~Such~~ The contracts ~~shall~~ must substantiate all contracted transportation services incorporated in the preliminary budget, and after the county superintendent has utilized the contracts for ~~such~~ that purpose but before the fourth Monday of July, he shall send all the transportation contracts received ~~by him~~ to the superintendent of public instruction. When the county superintendent determines a deviation between the preliminary transportation fund budget amount for contracted transportation services and the contracted amount for ~~such~~ the services, he shall immediately call the deviation to the attention of the appropriate trustees and shall allow the trustees to change the preliminary budgeted amount to compensate for such deviation."

Section 45. Section 20-10-144, MCA, is amended to read:

"20-10-144. Computation of revenues and net tax levy requirements for the transportation fund budget. Before the fourth Monday of July and in accordance with 20-9-123, the county superintendent shall compute the revenue available to finance the transportation fund budget of each district. The county superintendent shall compute the revenue for each district on the following basis:

(1) The "schedule amount" of the preliminary budget expenditures that is derived from the rate schedules in 20-10-141 and 20-10-142 ~~shall~~ must be determined by adding the following amounts:

(a) the sum of the maximum reimbursable expenditures for all approved school bus routes maintained by the district (to determine the maximum reimbursable expenditure, multiply the applicable rate per bus mile by the total number of miles to be traveled during the ensuing school fiscal year on each bus route approved by the county transportation committee and maintained by such district); plus

(b) the total of all individual transportation per diem reimbursement rates for ~~such~~ the district as determined from the contracts submitted by the district multiplied by the number of pupil-instruction days scheduled for the ensuing school attendance year; plus

(c) any estimated costs for supervised home study or supervised correspondence study for the ensuing school fiscal year; plus

(d) the amount budgeted on the preliminary budget for the contingency amount permitted in 20-10-143, except if ~~such~~ the amount exceeds 10% of the total of subsections (1)(a), (1)(b), and (1)(c), the transportation fund budget limitation provided for in 20-10-143, or \$100, whichever is larger, the contingency amount on the preliminary budget shall must be reduced to ~~such~~ the limitation amount and used in this determination of the schedule amount.

(2) The schedule amount determined in subsection (1) or the total preliminary transportation fund budget, whichever is smaller, ~~shall~~ must be divided by 3 and the resulting one-third amount ~~shall~~ must be is used

to determine the available state and county revenue to be budgeted on the following basis:-

(a) ~~the resulting one-third amount shall be the budgeted state transportation reimbursement, except that the state transportation reimbursement for the transportation of special education pupils under the provisions of 20-7-442 shall be two-thirds of the schedule amount attributed to the transportation of special education pupils;~~

(b) ~~the resulting one-third amount, except as provided for joint elementary districts in subsection (2)(c), shall be the budgeted county transportation reimbursement for elementary districts and shall be financed by the basic county tax under the provisions of 20-9-334;~~

(c) ~~the resulting one-third amount multiplied by 2 shall be the budgeted county transportation reimbursement amount for high school districts financed under the provisions of subsection (5) of this section, except as provided for joint high school districts in subsection (2)(c), and except that the county transportation reimbursement for the transportation of special education pupils under the provisions of 20-7-442 shall be one-third of the schedule amount attributed to the transportation of special education pupils;~~

~~(d)(3) when Whenever the district has a sufficient amount of cash for reappropriation and other sources of district revenue, as determined in subsection (3) (4), to reduce the total district obligation for financing to zero, any remaining amount of such district revenue and cash reappropriated shall must be used to reduce the county financing obligation in subsections (2)(b) or (2)(c) and, if such county financing obligations are reduced to zero, to reduce the state financial obligation in subsection (2)(a); and~~

~~(e) the county revenue requirement for a joint district, after the application of any district moneys under subsection (2)(d) above, shall be prorated to each county incorporated by the joint district in the same proportion as the ANB of the joint district is distributed by pupil residence in each such county the state financial obligation in 20-10-145.~~

~~(3)(4) The total of the moneys money available for the reduction of property tax on the district for the transportation fund shall must be determined by totaling:~~

(a) ~~anticipated federal moneys money received under the provisions of Title I of Public Law 81-874 or other anticipated federal moneys money received in lieu of such a federal act; plus~~

(b) ~~anticipated payments from other districts for providing school bus transportation services for such the district; plus~~

(c) ~~anticipated payments from a parent or guardian for providing school bus transportation services for his child; plus~~

(d) ~~anticipated interest to be earned by the investment of transportation fund cash in accordance with the provisions of 20-9-213(4); plus~~

(e) ~~anticipated revenue from vehicle property taxes and fees imposed under 23-2-517, 23-2-803, 61-3-504(2), 61-3-521, and 61-3-537, and 67-3-204; plus~~

(f) net proceeds taxes for interim production and new production, as defined in 15-23-601; plus

(g) any other revenue anticipated by the trustees to be earned during the ensuing school fiscal year which may be used to finance the transportation fund; plus

(h) any cash available for reappropriation as determined by subtracting the amount of the end-of-the-year cash balance earmarked as the transportation fund cash reserve for the ensuing school fiscal year by the trustees from the end-of-the-year cash balance in the transportation fund. ~~Such~~ The cash reserve ~~shall~~ may not be more than 20% of the final transportation fund budget for the ensuing school fiscal year and ~~shall be~~ is for the purpose of paying transportation fund warrants issued by the district under the final transportation fund budget.

~~(4)(5)~~ The district levy requirement for each district's transportation fund ~~shall~~ must be computed by:

(a) subtracting the schedule amount calculated in subsection (1) from the total preliminary transportation budget amount ~~and, for an elementary district, adding such difference to the district obligation to finance one-third of the schedule amount as determined in subsection (2); and~~

(b) subtracting the amount of ~~moneys~~ money available to reduce the property tax on the district, as determined in subsection ~~(3)~~ (4), from the amount determined in subsection ~~(4)(a)~~ (5)(a) above.

~~(5) The county levy requirement for the financing of the county transportation reimbursement to high school districts shall be computed by adding all such requirements for all the high school districts of the county, including the county's obligation for reimbursements in joint high school districts.~~

(6) The transportation fund levy requirements determined in subsection ~~(4)~~ (5) for each district ~~and in subsection (5) for the county~~ shall must be reported to the county commissioners on the second Monday of August by the county superintendent as the transportation fund levy requirements for the district ~~and for the county, and such levies shall~~ the levy must be made by the county commissioners in accordance with 20-9-142."

Section 46. Section 20-10-145, MCA, is amended to read:

"20-10-145. State transportation reimbursement. (1) Any district providing school bus transportation or individual transportation in accordance with ~~the transportation law~~ this title, board of public education transportation policy, and superintendent of public instruction transportation rules shall receive a state reimbursement of its transportation expenditures under the transportation reimbursement rate provisions of 20-10-141 and 20-10-142. The state transportation reimbursement ~~shall not exceed one-third~~ is 100% of the reimbursement amounts ~~established in such sections or one-third~~ or 100% of the district's transportation fund budget, whichever is smaller, and ~~shall be~~ is computed on the basis of the number of days the transportation services were actually rendered. In determining the amount of the state transportation reimbursement, ~~no~~ an

amount claimed by a district ~~shall~~ may not be considered for reimbursement unless ~~such~~ the amount has been paid in the regular manner provided for the payment of other financial obligations of the district.

(2) Requests for the state transportation reimbursement ~~shall~~ must be made by each district semiannually during the school fiscal year on the claim forms and procedure promulgated by the superintendent of public instruction. The claims for state transportation reimbursements ~~shall~~ must be routed by the district to the county superintendent, who after reviewing ~~such~~ the claims shall send them to the superintendent of public instruction. The superintendent of public instruction shall establish the validity and accuracy of the claims for the state transportation reimbursements by determining ~~their~~ compliance with ~~the transportation law~~ this title, board of public education transportation policy, and the transportation rules of the superintendent of public instruction. After making any necessary adjustments to such claims, ~~he shall cause their~~ the superintendent of public instruction shall provide payment by ordering a disbursement from the state moneys appropriated by the legislature of the state of Montana legislative appropriation for the state transportation reimbursement. ~~Such~~ The payment of all the district's claims within one county ~~shall~~ must be made to the county treasurer of ~~such~~ the county, and the county superintendent shall apportion ~~such~~ the payment in accordance with the apportionment order supplied by the superintendent of public instruction."

Section 47. Section 23-5-1027, MCA, is amended to read:

"23-5-1027. Disposition of revenue. (1) (a) As near as possible to 45% of the money paid for tickets or chances must be paid out as prize money, except as provided in subsection (1)(b).

(b) In the case of a regional lottery game, a maximum of 50% of the money paid for tickets or chances may be paid out as prize money.

(2) Up to 15% of the gross revenue from the state lottery may be used by the director to pay the operating expenses of the state lottery. Commissions paid to lottery ticket or chance sales agents are not a state lottery operating expense.

(3) Funds to pay the operating expenses of the lottery are statutorily appropriated as provided in 17-7-502.

(4) That part of all gross revenue not used for the payment of prizes, commissions, and operating expenses is net revenue and must be paid quarterly from the enterprise fund established by 23-5-1026 to the superintendent of public instruction for distribution as state equalization aid ~~to the retirement fund obligations of elementary and high school districts in the manner provided in 20-9-532~~ to the public schools of Montana."

NEW SECTION. Section 48. District retirement fund and comprehensive insurance fund balances — transfer. A district that has a balance remaining on [the effective date of this act] in the district retirement fund formerly established under 20-9-501 or the district comprehensive insurance fund shall transfer the balance to the district general fund.

NEW SECTION. Section 49. State equalization aid levy. There is a levy of 45 mills imposed on all taxable property within the state, except property for which a tax or fee is required under 23-2-517, 23-2-803, 61-3-504(2), 61-3-521, 61-3-537, and 67-3-204. Proceeds of the levy must be remitted to the state treasurer and must be deposited to the credit of the state special revenue fund for state equalization aid to the public schools of Montana. The proceeds are statutorily appropriated, as provided in 17-7-502, to the superintendent of public instruction to be distributed as state equalization aid to the public school districts.

Section 50. Section 17-7-502, MCA, is amended to read:

"17-7-502. Statutory appropriations — definition — requisites for validity. (1) A statutory appropriation is an appropriation made by permanent law that authorizes spending by a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations: 2-9-202; 2-17-105; 2-18-812; 10-3-203; 10-3-312; 10-3-314; 10-4-301; 13-37-304; 15-25-123; 15-31-702; 15-36-112; 15-65-121; 15-70-101; 16-1-404; 16-1-410; 16-1-411; 17-3-212; 17-5-404; 17-5-424; 17-5-804; 19-8-504; 19-9-702; 19-9-1007; 19-10-205; 19-10-305; 19-10-506; 19-11-512; 19-11-513; 19-11-606; 19-12-301; 19-13-604; 20-4-109; 20-6-406; 20-8-111; [section 49]; 23-5-610; 23-5-1027; 33-31-212; 33-31-401; 37-51-501; 39-71-2504; 53-6-150; 53-24-206; 67-3-205; 75-1-1101; 75-7-305; 76-12-123; 80-2-103; 80-2-228; 82-11-136; 90-3-301; 90-3-302; 90-3-412; 90-4-215; 90-9-306; 90-15-103; section 13, House Bill No. 861, Laws of 1985; and section 1, Chapter 454, Laws of 1987.

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for such payments. (In subsection (3): pursuant to sec. 15, Ch. 607, L. 1987, the inclusion of 15-65-121 terminates June 30, 1989; pursuant to sec. 10, Ch. 664, L. 1987, the inclusion of 39-71-2504 terminates June 30, 1991; and pursuant to sec. 6, Ch. 454, L. 1987, the inclusion of sec. 1, Ch. 454, L. 1987, terminates July 1, 1988.)"

NEW SECTION. Section 51. Purpose. The purpose of [section 52] is to promote the use of telecommunications technology for the purposes of enhancing educational opportunities provided to students in

the Montana public school system and promoting equal access by students to those opportunities.

NEW SECTION. Section 52. Telecommunications network — implementation — consultant. (1) To provide for the training and education needs of public schools, the department of administration shall retain a telecommunications engineering consultant to support the development of design criteria and specifications for statewide video networking and improvements in the use of existing voice and data networks in the state.

(2) The telecommunications engineering consultant shall:

(a) seek advice and recommendations on improvements in telecommunications within Montana from the following entities:

(i) the office of the superintendent of public instruction;

(ii) the university system;

(iii) local government and school district officials;

(iv) agencies involved in economic development; and

(v) the executive, judicial, and legislative branches of state government; and

(b) recommend and initiate network improvements during the biennium through shared use and enhancements of existing telecommunications systems, with emphasis on limiting financial commitments to the extent possible.

NEW SECTION. Section 53. Definition. As used in [sections 53 through 59], "committee" means the legislative oversight committee on school funding implementation created in [section 54].

NEW SECTION. Section 54. Legislative oversight committee on school funding implementation — composition and appointment. (1) There is a legislative oversight committee on school funding implementation.

(2) The committee consists of 11 members, including:

(a) four members of the house of representatives appointed by the speaker of the house;

(b) four members of the senate appointed by the committee on committees of the senate;

(c) the superintendent of public instruction or his designee as an ex officio nonvoting member;

(d) a member of the board of public education as an ex officio nonvoting member; and

(e) the governor or his designee as an ex officio nonvoting member.

(3) No more than two legislative members from each house may be of the same political party.

NEW SECTION. Section 55. Term of office — vacancies. (1) A committee member shall serve until the committee terminates as provided in [section 59].

(2) A vacancy on the committee must be filled in the same manner as the original appointment.

NEW SECTION. Section 56. Officers — meetings — quorum — compensation. (1) The committee shall choose from its membership a chairman and vice chairman.

(2) The committee shall meet upon the call of the chairman or at the request of any five members.

(3) Six members constitute a quorum to transact business.

(4) A legislative member is entitled to compensation as provided in 5-2-302.

(5) Members must be appointed no later than June 1, 1989.

NEW SECTION. Section 57. Duties of the committee. The duties of the committee include but are not limited to:

(1) monitoring the implementation of school funding equalization, including:

(a) identification of any problems of implementation and options for resolving these problems;

(b) continued analysis of school district budget and expenditure data and of improvements in school district accounting and reporting procedures;

(c) examination of other issues related to implementation;

(2) directing the following studies of issues related to school funding equalization:

(a) school transportation equalization including but not limited to:

(i) mechanisms to equalize transportation funding; and

(ii) analysis of issues related to the costs and efficiencies of school transportation, including reimbursement schedules, load requirements, 3-mile limit, transporting ineligible transportees, functions of the county transportation committee, and school district reporting and budgeting duties;

(b) school district capital outlay and debt service equalization, including but not limited to:

(i) analysis of school district funds and budgets for various school district capital outlay and debt service obligations;

(ii) options for equalizing school district capital outlay and debt service obligations;

(c) continued study of issues related to equalization, including but not limited to comprehensive insurance, uncollected taxes, tuition, student-based funding distribution methods, special education funding, and federal Public Law 874 revenue, especially as it pertains to revenue not linked to Native American students;

(3) ongoing analysis of revenue sources related to school funding;

(4) holding discussions with any party contemplating litigation regarding compliance with the supreme court and district court rulings on school funding equalization; and

(5) reporting its findings, options for legislative consideration, and any proposed legislation to the governor and the 52nd legislature.

NEW SECTION. Section 58. Staff assistance. The committee may request the following governmental entities to provide staff assistance to the committee:

- (1) the office of public instruction;
- (2) the governor's office of budget and program planning;
- (3) the board of public education;
- (4) the legislative council;
- (5) the office of the legislative fiscal analyst; and
- (6) the office of the legislative auditor.

NEW SECTION. Section 59. Termination. [Sections 53 through 58] terminate December 31, 1990.

NEW SECTION. Section 60. Repealer. Sections 20-9-105, 20-9-352, 20-9-501, 20-9-531, 20-9-532, and 20-10-146, MCA, are repealed.

NEW SECTION. Section 61. Appropriation. (1) All revenue received under the provisions of 20-9-343 is appropriated to the superintendent of public instruction for the fiscal year ending June 30, 1991.

(2) There is appropriated from the general fund \$56,807,000 for the fiscal year ending June 30, 1991, to the superintendent of public instruction to be used to the extent that funds appropriated in subsection (1) are insufficient to finance the foundation program schedules for public schools, excluding special education.

(3) There is appropriated from the general fund \$4,636,000 for the fiscal year ending June 30, 1991, to the superintendent of public instruction to be used to finance state support of the special education programs, including retirement benefits, of the public school districts and cooperatives.

(4) There is appropriated from the general fund \$11,658,000 for the fiscal year ending June 30, 1991, to the superintendent of public instruction to be used to finance the public school transportation reimbursement schedules.

(5) There is appropriated from the general fund \$204,950 for the biennium ending June 30, 1991, to the superintendent of public instruction to establish standard accounting and reporting practices in all Montana public school districts.

(6) There is appropriated from the general fund \$20,000 to the legislative council for the biennium ending June 30, 1991, for use by the committee established in [section 54].

(7) There is appropriated from the general fund to the department of administration \$200,000 for the fiscal year ending June 30, 1990, to retain a telecommunications engineering consultant and to support development of and improvements in telecommunications networks in Montana as provided in [section 52].

(8) There is appropriated from the general fund to the department of administration \$300,000 for the biennium ending June 30, 1991, to be used for network implementation and improvements if a 50% match in funds or equipment is available from other sources.

NEW SECTION. Section 62. Extension of authority. Any existing authority to make rules on the subject of the provisions of [this act] is extended to the provisions of [this act].

NEW SECTION. Section 63. Codification instruction. [Section 49] is intended to be codified as an integral part of Title 20, chapter 9, and the provisions of Title 20, apply to [section 49].

NEW SECTION. Section 64. Effective dates. (1) [Sections 1 through 50, 60, 62, 63, and 65] are effective July 1, 1990.

(2) [Sections 51, 52, and 61] are effective July 1, 1989.

(3) [Sections 53 through 59 and this section] are effective on passage and approval.

(4) The superintendent of public instruction may, prior to July 1, 1990, adopt rules and conduct training necessary to implement 20-9-201(2) and 20-10-143(2).

NEW SECTION. Section 65. Applicability. [Section 49] applies retroactively, within the meaning of 1-2-109, to all taxable years beginning after December 31, 1989."

And, as amended, be concurred in. Report adopted.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bill was introduced, read first time, and referred to committee:

HJR 41, introduced by Vincent, Eudaily, D. Brown, Brooke, Cocchiarella, Wallin, Spaeth, referred to Committee on Judiciary

The following Senate bills were introduced, read first time, and referred to committees:

SB 470, introduced by Hammond, Pinsoneault, Blaylock, Nathe, Regan, Anderson, Mazurek, B. Brown (by request of the Senate Education Committee), referred to Committee on Education and Cultural Resources

SJR 18, introduced by Devlin, Zook, Kasten, Jergeson, Westlake, Nathe, Abrams, Hammond, Beck, Weeding, Bengtson, Tveit, Hanson, Bachini, Peck, Koehnke, Schye, Stepler, Cody, L. Nelson, Guthrie, DeBruycker, Patterson, Mercer, Swysgood, Hager, referred to Committee on Agriculture, Livestock, and Irrigation

SJR 19, introduced by Story, Keating, referred to Committee on Natural Resources

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved the House adjourn until 1:30 p.m., Wednesday, April 5, 1989.

Motion carried.

House adjourned at 4:50 p.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

SEVENTY-SIXTH LEGISLATIVE DAY

Helena, Montana
April 5, 1989

House Chambers
State Capitol

House convened at 1:30 p.m., Mr. Speaker in the Chair. Invocation by Representative Koehnke. Pledge of Allegiance to the Flag.

Roll call. All members present except Giacometto, Harper, and Raney, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journals for the seventieth and seventy-first legislative days, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 4/5/89

Correctly engrossed: SB 226, SB 465.

Delivered to the Governor for his approval at 9:50 a.m., 4/5/89: HB 166, HB 169, HB 211, HB 222, HB 346, HB 394, HB 413.

JUDICIARY (D. Brown, Chairman): 4/5/89

SB 446, be concurred in. Report adopted.

LABOR AND EMPLOYMENT RELATIONS (Russell, Chairman): 4/5/89

SB 270, be concurred in. Report adopted.

LEGISLATIVE ADMINISTRATION (Menahan, Chairman): 4/5/89

HJR 37, do pass. Report adopted.

SJR 12, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House: 4/4/89

HB 234, introduced by Spaeth

HB 607, introduced by Hannah

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 4/4/89

HB 35, introduced by Harrington

HB 415, introduced by Patterson

House amendments to Senate bills concurred in: 4/4/89

SB 42, introduced by Eck

SB 94, introduced by Bengtson

SB 106, introduced by Pinsoneault

SB 107, introduced by Pinsoneault

SB 108, introduced by Pinsoneault

SB 113, introduced by Tveit

SB 215, introduced by Halligan

SB 216, introduced by Manning

SB 249, introduced by Harp

SB 256, introduced by McLane

SB 272, introduced by Keating

SB 285, introduced by Halligan

SB 293, introduced by Mazurek

SB 297, introduced by Hammond

SB 305, introduced by Jergeson
SB 311, introduced by Harding
SB 322, introduced by Van Valkenburg
SB 331, introduced by Bishop
SB 338, introduced by Mazurek
SB 351, introduced by Williams
SB 357, introduced by Harding
SB 388, introduced by Eck
SB 389, introduced by Jergeson
SB 390, introduced by Galt
SB 395, introduced by Boylan
SB 406, introduced by Gage
SB 413, introduced by Van Valkenburg

The Senate, on 4/3/89, failed to concur in House amendments to SB 95 and appointed a conference committee, requesting the House appoint a like committee to confer on House amendments to SB 95.

President Galt appointed the following members:

Senator Rasmussen, Chairman
Senator Aklestad
Senator Boylan

The Senate, on 4/1/89, failed to concur in House amendments to SB 296 and appointed a conference committee, requesting the House appoint a like committee to confer on House amendments to SB 296.

President Galt appointed the following members:

Senator Hager, Chairman
Senator Himsl
Senator Jacobson

The Senate, on 4/1/89, failed to concur in House amendments to SB 65 and appointed a free conference committee, requesting the House appoint a like committee to confer on House amendments to SB 65.

President Galt appointed the following members:

Senator Gage, Chairman
Senator Jenkins
Senator Van Valkenburg

The Senate, on 4/3/89, failed to concur in House amendments to SB 363 and appointed a free conference committee, requesting the House appoint a like committee to confer on House amendments to SB 363.

President Galt appointed the following members:

Senator Crippen, Chairman
Senator Bishop
Senator Halligan

The Senate, on 4/4/89, failed to concur in House amendments to SB 333 and appointed a free conference committee, requesting the House appoint a like committee to confer on House amendments to SB 333.

President Galt appointed the following members:

Senator Crippen, Chairman
Senator Bishop
Senator Mazurek

The Senate, on 4/4/89, acceded to the request of the House and appointed a conference committee to meet with a like committee from the House to confer on HB 254.

President Galt appointed the following members:

Senator Severson, Chairman
Senator Farrell
Senator Williams

The Senate, on 4/4/89, acceded to the request of the House and appointed a free conference committee to meet with a like committee from the House to confer on HB 32.

President Galt appointed the following members:

Senator Farrell, Chairman
Senator Hammond
Senator Regan

The Senate, on 4/4/89, acceded to the request of the House and appointed a free conference committee to meet with a like committee from the House to confer on HB 57.

President Galt appointed the following members:

Senator Beck, Chairman
Senator Harp
Senator Norman

MESSAGES FROM THE GOVERNOR

John Vincent
Speaker of the House
Montana House of Representatives
State Capitol
Helena, Montana 59620

April 5, 1989

Dear Representative Vincent:

Please be informed that I have signed House Bills 650, 602, 504, 534, 704, 378, 649, 313, 383, 661, 399, 711, 477 and 568 on April 4, 1989.

Sincerely,

STAN STEPHENS
Governor

MOTIONS

Representative Schye moved consideration of SB 132 be passed for the day. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Quilici moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Patterson in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 569 - Representative Nisbet moved the Governor's amendments to HB 569 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Giacometto, Harper, Raney.

Total 3

Absent or not voting: Kadas, Moore.

Total 2

SB 271 - Representative D. Brown moved the Governor's amendments to SB 271 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Giacometto, Harper, Raney.

Total 3

Absent or not voting: None.

Total 0

SB 139 - Representative O'Keefe moved SB 139 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens,

April 5, 1989

Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Cobb, Grinde.

Total 2

Excused: Giacometto, Harper, Raney.

Total 3

Absent or not voting: None.

Total 0

Representative Quilici moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Patterson moved the adoption of the committee report. Report adopted. (95-1)

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

4/5/89

Correctly enrolled: HB 87, HB 204, HB 245, HB 258, HB 332, HB 367, HB 422, HB 425, HB 432, HB 437, HB 440, HB 447, HB 455, HB 458, HB 489, HB 495, HB 518, HB 544, HB 561, HB 576, HB 577, HB 593, HB 595, HB 597, HB 616, HB 645, HB 651, HB 668, HB 691.

Examined by the sponsors and found to be correct:

HB 87 - Kilpatrick
HB 204 - Cobb
HB 245 - Quilici
HB 258 - Spaeth
HB 332 - Connelly
HB 367 - O'Keefe
HB 401 - D. Brown
HB 422 - Eudaily
HB 432 - Eudaily
HB 437 - Gould
HB 440 - D. Brown
HB 447 - Clark
HB 455 - Zook
HB 458 - Peck
HB 489 - Rice
HB 495 - Strizich
HB 518 - Stickney
HB 544 - Rice
HB 561 - Addy
HB 576 - Roth
HB 577 - Simon
HB 593 - Russell
HB 595 - Russell
HB 597 - Darko
HB 616 - DeMars
HB 645 - Addy
HB 651 - Spaeth
HB 668 - McDonough
HB 691 - Simpkins
HJR 23 - Cobb

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Representative Giacometto present at this time.

HB 792 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Harper, Raney.

Total 2

Absent or not voting: Pavlovich.

Total 1

HB 370, Senate amendments, concurred in as follows:

Ayes: Addy, Bachini, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Eudaily, Gervais, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harrington, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Marks, McCormick, McDonough, Menahan, Moore, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Quilici, Ream, Rice, Russell, Schye, Squires, Stang, Stickney, Strizich, Wallin, Whalen, Wyatt, Mr. Speaker.

Total 58

Noes: Aafedt, Bardanouve, Boharski, Cobb, Compton, DeBruycker, Elliott, Ellison, Giacometto, Good, Grinde, Guthrie, Hayne, Hoffman, Kasten, Keller, Koehnke, Lee, Mercer, L. Nelson, Owens, Patterson, Peterson, Phillips, Ramirez, Rehberg, Roth, Simon, Simpkins, Smith, Spaeth, Spring, Stepler, Swift, Swysgood, Thoft, Thomas, Westlake, Zook.

Total 39

Excused: Harper, Raney.

Total 2

Absent or not voting: Clark.

Total 1

HB 444, Senate amendments, concurred in as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton,

Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Glaser, Good, Gould, Grady, Guthrie, Hansen, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Russell, Schye, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 78

Noes: Aafedt, Boharski, DeBruycker, Giacometto, Gilbert, Grinde, Hannah, Hanson, Kasten, Lee, Owens, Ramirez, Ream, Rehberg, Rice, Roth, Simon, Simpkins, Smith, Spring.

Total 20

Excused: Harper, Raney.

Total 2

Absent or not voting: None.

Total 0

HB 564, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Giacometto, Kasten, Simpkins.

Total 3

Excused: Harper, Raney.

Total 2

Absent or not voting: Daily.

Total 1

HB 603, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hansen, Harrington, Hayne, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough, Menahan, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Quilici, Ream, Rice, Roth, Russell, Schye, Simpkins, Smith, Spaeth, Spring, Squires, Stickney, Strizich, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 73

Noes: Campbell, Clark, Cobb, Driscoll, Giacometto, Grinde, Hannah, Hanson, Hoffman, Kasten, Lee, Marks, Owens, Peterson, Phillips, Ramirez, Rehberg, Simon, Stang, Stepler, Swift, Swysgood, Thoft, Thomas.

Total 24

Excused: Harper, Raney.

Total 2

Absent or not voting: Mercer.

Total 1

SB 146, Governor's amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Harper, Raney.

Total 2

Absent or not voting: Ellison, Knapp.

Total 2

SB 257 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Cohen, Driscoll.

Total 2

Excused: Harper, Raney.

Total 2

Absent or not voting: Hannah.

Total 1

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Quilici moved the House adjourn until 1:30 p.m., Thursday, April 6, 1989.

Motion carried.

House adjourned at 2:00 p.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

SEVENTY-SEVENTH LEGISLATIVE DAY

Helena, Montana
April 6, 1989

House Chambers
State Capitol

House convened at 1:30 p.m., Mr. Speaker in the Chair. Invocation by Representative Zook. Pledge of Allegiance to the Flag.

Roll call. All members present except D. Brown, Compton, Hannah, and Hanson, excused. Quorum present.

SPECIAL ORDERS OF THE DAY

The Bozeman Senior High School Flute Choir performed for the House. Members of the group consisted of:

Heidi Delger
Monica Hamburg
Michelle Kuenning
Jennifer McCulloch
MaryAlice McWilliams

Angie Nielsen
Kim Sabo
Jolene Whitney
Michelle Wilson

Renee Westlake, Conductor

Representatives D. Brown, Compton, and Hanson present at this time.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

4/6/89

Correctly printed: HJR 37.

Correctly enrolled: HB 122, HB 295, HB 307, HB 318, HB 319,
HB 336, HB 349, HB 350, HB 364, HB 389, HB 483, HB 536,
HB 542, HB 630, HB 647, HB 655, HB 657, HB 671, HB 682,
HB 720, HB 727, HB 736, HJR 30.

Examined by the sponsors and found to be correct:

HB 122 - Spaeth
HB 295 - Addy
HB 307 - Hoffman
HB 318 - Simon
HB 319 - Simon
HB 336 - Driscoll
HB 349 - Strizich
HB 350 - Strizich
HB 364 - R. Nelson
HB 389 - Campbell
HB 425 - Vincent
HB 483 - Driscoll
HB 536 - J. Brown
HB 542 - Guthrie
HB 630 - Koehnke
HB 647 - Kadas
HB 655 - Harper
HB 657 - Owens
HB 671 - Patterson
HB 682 - O'Keefe
HB 720 - Giacometto
HB 727 - Marks
HB 736 - Gould
HJR 30 - Clark

Signed by the Speaker at 9:20 a.m., 4/5/89: SB 196.

Signed by the Speaker at 2:45 p.m., 4/5/89: HB 425.

Signed by the Speaker at 8:00 a.m., 4/6/89: HB 87, HB 204, HB 245, HB 258, HB 332, HB 367, HB 401, HB 422, HB 432, HB 437, HB 440, HB 447, HB 455, HB 458, HB 489, HB 495, HB 518, HB 544, HB 561, HB 576, HB 577, HB 593, HB 595, HB 597, HB 616, HB 645, HB 651, HB 668, HB 691, HJR 23.

Delivered to the Governor for his approval at 10:55 a.m., 4/6/89: HB 425.

AGRICULTURE, LIVESTOCK, AND IRRIGATION (Bachini, Chairman):
4/5/89

SJR 18, be concurred in. Report adopted.

BUSINESS AND ECONOMIC DEVELOPMENT (Pavlovich, Chairman):
4/6/89

HR 2, do pass. Report adopted.

STATE ADMINISTRATION (J. Brown, Chairman):
4/6/89
SB 241, third reading copy, be amended as follows:

1. Title, line 10.
Strike: "AN"

2. Title, line 11.
Strike: "DATE"
Insert: "DATES"

3. Page 6, line 6.
Strike: "date"
Insert: "dates"
Following: "."
Insert: "(1) Except as provided in subsection (2),"
Strike: "This"
Insert: "this"

4. Page 6.
Following: line 7
Insert: "(2) [Section 2] is effective July 1, 1991."

And, as amended, be concurred in. Report adopted.

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on House Bill 32
Report No. 1, April 6, 1989

Mr. President and Mr. Speaker:

We, your Free Conference Committee on HB 32, considered and recommend HB 32 (reference copy — salmon) be amended as follows:

1. Title, line 6.
Strike: "4"
Insert: "5"

2. Page 1, line 22.
Strike: "4"
Insert: "5"

3. Page 1, line 23.
Strike: "4"
Insert: "5"

And this Free Conference Committee Report be adopted.

For the Senate:

Farrell, Chairman
Hammond
Regan

For the House:

Daily
Schye
Swysgood

Report adopted.

Free Conference Committee
on Senate Bill 330
Report No. 1, March 18, 1989

Mr. President and Mr. Speaker:

We, your Free Conference Committee on SB 330, considered and recommend SB 330 (reference copy — salmon) be amended as follows:

1. Strike: the House Committee on Business and Economic Development's amendments Nos. 2 and 3 in their entirety.

2. Title, line 13.

Following: "~~33-2-119~~,"

Insert: "33-2-119,"

3. Page 4.

Following: line 12

Insert: "Section 1. Section 33-2-119, MCA, is amended to read:

"33-2-119. Suspension or revocation for violations and special grounds.

(1) The commissioner may, in his discretion, suspend or revoke an insurer's certificate of authority if, after a hearing thereon, he finds that the insurer has:

(a) violated any lawful order of the commissioner or any provision of this code other than those for which suspension or revocation is mandatory;

(b) reinsured more than 90% of its risks resident, located, or to be performed in Montana, in another insurer. In considering suspension or revocation, the commissioner shall consider all relevant factors, including whether:

(i) after the reinsurance transaction all parties will be in compliance with Montana law; and

(ii) the transaction will substantially reduce protection and service to Montana policyholders.

(2) The commissioner shall, after a hearing thereon, suspend or revoke an insurer's certificate of authority if he finds that the insurer:

(a) is in unsound condition or in such condition or using such methods or practices in the conduct of its business as to render its further transaction of insurance in Montana injurious or hazardous to its policyholders or to the public;

(b) has refused to be examined or to produce its accounts, records, and files for examination or if any of its officers have refused to give

information with respect to its affairs, when required by the commissioner;

(c) has failed to pay any final judgment rendered against it in Montana within 30 days after the judgment became final;

(d) with such frequency as to indicate its general business practice in Montana, has without just cause refused to pay a proper claims claim arising under its policies, whether ~~any such~~ the claim is in favor of an insured or is in favor of a third person with respect to the liability of an insured to ~~such~~ the third person, or without just cause compels ~~such~~ the insured or claimant to accept less than the amount due ~~them~~ him or to employ attorneys or to bring suit against the insurer or ~~such an~~ insured to secure full payment or settlement of ~~such~~ the claims;

(e) is affiliated with and under the same general management or interlocking directorate or ownership as another insurer which transacts direct insurance in Montana without having a certificate of authority therefor, except as permitted as to a surplus lines insurer under part 3 of this chapter.

(3) The commissioner may, in his discretion and without advance notice or a hearing thereon, immediately suspend the certificate of authority of any insurer as to which proceedings for receivership, conservatorship, rehabilitation, or other delinquency proceedings have been commenced in any state.””

Renumber: subsequent sections

And this Free Conference Committee report be adopted.

For the Senate:

Beck, Chairman

Noble

Williams

For the House:

Whalen

Kilpatrick

Thomas

Report adopted.

MESSAGES FROM THE SENATE

House bill concurred in as amended and returned to the House for concurrence in Senate amendments: 4/5/89

HB 420, introduced by Koehnke

Governor's amendments concurred in and returned to the House: 4/5/89

HB 227, introduced by Harrington

House amendments concurred in: 4/5/89

SB 70, introduced by Norman

SB 91, introduced by Manning

SB 99, introduced by Aklestad

SB 166, introduced by Bengtson

SB 219, introduced by Walker

SB 276, introduced by Blaylock

SB 348, introduced by Nathe

SB 429, introduced by Thayer

SB 437, introduced by Norman

Free conference committee report adopted:

4/5/89

HB 496, introduced by Nisbet

The Senate, on 4/5/89, acceded to the request of the House and appointed a conference committee to meet with a like committee from the House to confer on Senate amendments to HB 301.

President Galt appointed the following members:

Senator Story, Chairman
Senator Aklestad
Senator Boylan

The Senate, on 4/5/89, acceded to the request of the House and appointed a conference committee to meet with a like committee from the House to confer on Senate amendments to HB 621.

President Galt appointed the following members:

Senator Hager, Chairman
Senator McLane
Senator Lynch

The Senate, on 4/5/89, acceded to the request of the House and appointed a conference committee to meet with a like committee from the House to confer on Senate amendments to HB 700.

President Galt appointed the following members:

Senator Tveit, Chairman
Senator McLane
Senator Blaylock

The Senate, on 4/5/89, acceded to the request of the House and appointed a conference committee to meet with a like committee from the House to confer on Senate amendments to HB 734.

President Galt appointed the following members:

Senator Thayer, Chairman
Senator Noble
Senator Williams

The Senate, on 4/4/89, failed to concur in House amendments to SB 111 and appointed a free conference committee, requesting the House appoint a like committee to confer on House amendments to SB 111.

President Galt appointed the following members:

Senator Meyer, Chairman
Senator Beck
Senator Boylan

The Senate, on 4/4/89, failed to concur in House amendments to SB 377 and appointed a free conference committee, requesting the House appoint a like committee to confer on House amendments to SB 377.

President Galt appointed the following members:

Senator Gage, Chairman
Senator Harding
Senator Van Valkenburg

The Senate, on 4/4/89, failed to concur in House amendments to SB 427 and appointed a free conference committee, requesting the House appoint a like committee to confer on House amendments to SB 427.

President Galt appointed the following members:

Senator Rasmussen, Chairman
Senator Himsl
Senator Jacobson

MESSAGES FROM THE GOVERNOR

John Vincent
Speaker of the House
Montana House of Representatives
State Capitol
Helena, Montana 59620

April 6, 1989

Dear Representative Vincent:

Please be informed that I have signed House Bills 274, 572, 667, 571, 592, 656, 395, 723 and 606 on April 5, 1989.

Sincerely,

STAN STEPHENS
Governor

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, Montana 59620

April 5, 1989

The Honorable Jack Galt
President of the Senate
State Capitol
Helena, Montana 59620

Dear Representative Vincent and Senator Galt:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby make the amendatory veto to Senate Bill 130, "AN ACT TO REQUIRE THE DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES TO SEEK AN AGREEMENT WITH THE UNITED STATES SECRETARY OF HEALTH AND HUMAN SERVICES FOR THE PURPOSE OF ESTABLISHING A DEMONSTRATION PROGRAM TO TEST A POLICY THAT WOULD ALLOW RECIPIENTS OF THE AID TO FAMILIES WITH DEPENDENT CHILDREN-UNEMPLOYED PARENT PROGRAM TO WORK MORE THAN 100 HOURS IN A MONTH AND STILL RETAIN ELIGIBILITY FOR PUBLIC ASSISTANCE; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE." This amendatory veto is made for the following reasons.

The Family Support Act of 1988, Section 503, provides for eight waivers in the United States for the purpose of conducting demonstration projects to eliminate the 100 hour rule. It has been the experience of other states in pursuing these limited waivers that they can be administratively very expensive. The costs include the extensive staff time in preparing the waiver, travel to defend the waiver proposal, costs in retraining eligible staff once the waiver is in place and a potential increase in errors from changed policy. In light of the fact that only eight states will be selected for this waiver, I am asking for the mandatory language to be changed to "may" in order to allow SRS staff to further analyze the likelihood of Montana being selected as a waiver state once the selection rules are established.

In addition, I would want the Director of the Department of Social and Rehabilitation Services to assess whether applying for the waiver would divert necessary staff time from the successful implementation of the Teams Computer Project, for example. Such projects place work pressures on existing staff during the implementation phase. I do not want to jeopardize the approximately 85% federal funding for this project while pursuing a waiver we might not receive. I urge your concurrence with this amendment.

Governor's Amendment to SB 130

1. Page 2, line 15.

Strike: "shall"

Insert: "may"

Sincerely,

STAN STEPHENS
Governor

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, Montana 59620

April 5, 1989

The Honorable Jack Galt
President of the Senate
State Capitol
Helena, Montana 59620

Dear Representative Vincent and Senator Galt:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby make the amendatory veto to Senate Bill 209, "AN ACT TO INCREASE THE SALARY SCHEDULE OF COURT REPORTERS AND TO REVISE COURT FILING FEES THAT ARE APPLIED TO COURT REPORTERS' SALARIES; AMENDING SECTIONS 3-5-602 AND 25-1-202, MCA; AND PROVIDING AN EFFECTIVE DATE." This amendatory veto is made for the following reason.

Recognizing the need for salary increases for those who work in State government, but also recognizing the limited resources available to fund these increases, I am requesting the legislature to amend this raise in salary for court reporters to reflect the proportional increase granted the judges of our state. To that end, I ask the legislature to allow up to a maximum of \$2,000 which will be paid for by necessary increases in filing fees.

I urge your concurrence in these amendments.

Governor's Amendment to SB 209

1. Page 1, line 15.

Strike: "\$30,000"

Insert: "\$25,000"

Sincerely,

STAN STEPHENS
Governor

The Honorable John Vincent
Speaker of the House

April 5, 1989

State Capitol
Helena, Montana 59620

The Honorable Jack Galt
President of the Senate
State Capitol
Helena, Montana 59620

Dear Representative Vincent and Senator Galt:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby make the amendatory veto to Senate Bill 315, "AN ACT REQUIRING THE STATE WORKERS' COMPENSATION INSURANCE FUND AND PRIVATE WORKERS' COMPENSATION INSURERS TO ALLOW AN EMPLOYER THE OPTION OF INCLUDING A MEDICAL DEDUCTIBLE TERM IN ANY WORKERS' COMPENSATION POLICY; PROVIDING THAT BENEFITS PAID UNDER A MEDICAL DEDUCTIBLE TERM MAY NOT BE INCLUDED BY THE STATE WORKERS' COMPENSATION INSURANCE FUND FOR THE PURPOSE OF SETTING AN EMPLOYER'S INSURANCE RATE; AMENDING SECTION 39-71-2304, MCA; AND PROVIDING AN APPLICABILITY DATE." This amendatory veto is made for the following reasons.

The sponsor of Senate Bill 315 has requested an amendatory veto because of technical problems.

Section 1 (subsection 4) is inconsistent with the remainder of the bill that was otherwise amended through the legislative process. The bill, in its present form, permits an employer to pay the medical deductible to the insurer through reimbursement. The employer may not directly pay the medical provider. Subsection (4) is confusing in that the bill implies that the insured employer may pay the medical deductible amount directly to the medical provider. My amendment would delete that reference regarding direct payment to the medical provider and make the bill consistent throughout. I concur with the sponsor's request for an amendment. I urge your concurrence as well.

Governor's Amendment to SB 315

1. Page 3, line 2.

Strike: "either directly to the medical provider or"

Sincerely,

STAN STEPHENS
Governor

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 795, introduced by Vincent, Mercer, Quilici, Hannah, Harp, Hoffman, Peterson, Wallin, Eudaily, Squires, Blaylock, Spaeth, Clark, Bachini, Swysgood, Menahan, Daily, Gould, Rice, R. Nelson, B. Brown, Walker, Severson, Harper, Addy, O'Keefe, Bradley (by request of the Department of Justice), referred to Committee on Education and Cultural Resources

HJR 38, introduced by Whalen, Giacometto, DeMars, Halligan, Addy, Spaeth, Kilpatrick, McDonough, Mazurek, referred to Committee on Judiciary

HJR 43, introduced by Steppler, Giacometto, Yellowtail, Cody, Gage, Westlake, L. Nelson, Iverson, Schye, Knapp, Elliott, Davis, Spaeth, Grady, Bachini, DeMars, Peck, Stickney, Guthrie, Abrams, Johnson, Bardanouve, Jergeson, Weeding, Vincent, Kadas, Blotkamp, Gervais, Harrington, Anderson, Boylan, Russell, Driscoll, Ream, Harper, referred to Committee on Agriculture, Livestock, and Irrigation

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Cocchiarella in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 35 - Representative Harper moved Senate amendments to HB 35 be placed at the bottom of the second reading board. Motion carried.

HB 415 - Representative Patterson moved Senate amendments to HB 415 be concurred in. Motion carried as follows:

Ayes: Afedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Cody, Cohen, Elliott, O'Keefe, Peck.

Total 5

Excused: Hannah.

Total 1

Absent or not voting: Kadas, Marks.

Total 2

SB 132 - Representative Guthrie moved SB 132, third reading copy, be amended as follows:

1. Title, line 5.

Following: "TAXES;"

Insert: "REVISING THE PENALTY AND INTEREST CHARGED ON DELINQUENT TAXES;"

2. Title, line 10.

Following: "SECTIONS"

Insert: "15-16-101,"

3. Title, line 12.

Following: "DATE"

Insert: "AND APPLICABILITY PROVISIONS"

4. Page 3.

Following: line 16

Insert: "Section 1. Section 15-16-101, MCA, is amended to read:

"15-16-101. Treasurer to publish notice — manner of publication.
(1) Within 10 days after the receipt of the assessment book, the county treasurer must publish a notice specifying:

(a) that one-half of all taxes levied and assessed will be due and payable before 5 p.m. on November 30 next thereafter or within 30 days after the notice is postmarked and that unless paid prior to that time the amount then due will be delinquent and will draw interest at the rate of ~~5/6 of 1% per month from and after such delinquency until paid and 2% will be added to the delinquent taxes as a penalty~~ provided in [section 3];

(b) that one-half of all taxes levied and assessed will be due and payable on or before 5 p.m. on May 31 next thereafter and that unless paid prior to that time the taxes will be delinquent and will draw interest at the rate of ~~5/6 of 1% per month from and after such delinquency until paid and 2% will be added to the delinquent taxes as a penalty~~ provided in [section 3]; and

(c) the time and place at which payment of taxes may be made.

(2) He must send to the last-known address of each taxpayer written notice, postage prepaid, showing the amount of taxes and assessments due the current year and the amount due and delinquent for other years. The written notice shall include:

(a) the taxable value of the property;

(b) the total mill levy applied to that taxable value;

(c) the value of each mill in that county;

(d) itemized city services and special improvement district assessments collected by the county;

(e) the number of the school district in which the property is located; and

(f) the amount of the total tax due that is levied as city tax, county tax, state tax, school district tax, and other tax.

(3) The municipality shall, upon request of the county treasurer, provide the information to be included under subsection (2)(d) ready for mailing.

(4) The notice in every case must be published once a week for 2 weeks in a weekly or daily newspaper published in the county, if there is one, or if there is not, then by posting it in three public places. Failure to publish or post notices does not relieve the taxpayer from any of his liabilities. Any failure to give notice of the tax due for the current year or of delinquent tax will not affect the legality of the tax."

Renumber: subsequent sections

5. Page 4, lines 9 through 11.

Following: "rate" on line 9

Strike: "of" through "penalty" on line 11

Insert: "provided in [section 3]"

6. Page 4, lines 14 through 16.

April 6, 1989

Following: "rate" on line 14

Strike: "of" through "penalty" on line 16

Insert: "provided in [section 3]"

7. Page 5.

Following: line 5

Insert: "NEW SECTION. Section 3. Interest rate for delinquent property taxes. (1) (a) The county treasurer shall add to delinquent real and personal property taxes interest in an amount equal to 1/12 of the interest rate reported to him by the department as provided in subsection (2) for each month or part of a month that the tax is delinquent.

(b) The most recent rate of interest reported to the county treasurer must be applied to all delinquent property taxes, regardless of the date of delinquency.

(2) No later than November 1 in each year, the department shall notify each county treasurer of the rate of interest to be charged on delinquent property taxes. The rate of interest that the department must report is two percentage points above the prime rate of major New York banks as published in the Wall Street Journal on October 15 of the taxable year, or the first day of publication following October 15 if the prime rate or the Wall Street Journal is not published on October 15."

Renumber: subsequent sections

8. Page 11.

Following: line 1

Insert: "NEW SECTION. Section 10. Special applicability. The provisions in [sections 1 through 3] regarding the changes in interest on delinquent taxes apply:

(1) to real and personal property taxes that become due on or after November 30, 1989, and that remain unpaid on or after November 30, 1989; and

(2) retroactively, within the meaning of 1-2-109, to real and personal property taxes that became due prior to November 30, 1989, and that remain unpaid on or after November 30, 1989."

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Good, Gould, Grady, Grinde, Guthrie, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: Campbell, Cobb, Cody, Glaser, Hansen, Kasten, Nisbet, Peck, Thoft, Whalen.

Total 10

Excused: Hannah.

Total 1

Absent or not voting: None.

Total 0

Representative Schye moved SB 132, as amended, be concurred in.
Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Good, Gould, Grady, Grinde, Guthrie, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Campbell, Glaser, Hansen, Peck.

Total 4

Excused: Hannah.

Total 1

Absent or not voting: None.

Total 0

SB 270 - Representative Harper moved SB 270 be placed at the bottom of the second reading board for the purpose of amendment. Motion carried.

SJR 12 - Representative Menahan moved SJR 12 be concurred in.
Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Hannah.

Total 1

Absent or not voting: Cobb, Cody, Johnson.

Total 3

HB 35 - Representative Harrington moved Senate amendments to HB 35 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: None.
Total 0

Excused: Hannah.
Total 1

Absent or not voting: Cody.
Total 1

SB 270 - Representative Harper moved consideration of SB 270 be passed for the day. Motion carried.

Representative Harper moved the committee rise and report. Motion carried. Committee arose. House resumed. Speaker Pro Tempore Addy in the Chair. Chairman Cocchiarella moved the adoption of the committee report. Report adopted. (97-1)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 569, Governor's amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: None.
Total 0

Excused: Hannah.
Total 1

Absent or not voting: Owens.

Total 1

SB 271, Governor's amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: Owens.

Total 1

Excused: Hannah.

Total 1

Absent or not voting: None.

Total 0

SB 139 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Cobb.

Total 1

Excused: Hannah.

Total 1

Absent or not voting: Keller, Spring.

Total 2

SB 226 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Guthrie, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Kadas, Kilpatrick, Kimberley, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson,

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T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Phillips, Quilici, Ream, Rehberg, Roth, Russell, Schye, Smith, Spaeth, Spring, Squires, Stepler, Stickney, Strizich, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 75

Noes: Boharski, Campbell, Cobb, Good, Grady, Grinde, Hanson, Johnson, Kasten, Keller, Knapp, Lee, Owens, Peterson, Ramirez, Raney, Rice, Simon, Simpkins, Stang, Swift, Swysgood, Thoft.

Total 23

Excused: Hannah.

Total 1

Absent or not voting: Blotkamp.

Total 1

SB 465 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Gervais, Gilbert, Good, Gould, Hansen, Harper, Harrington, Johnson, Kadas, Kilpatrick, Kimberley, McCormick, McDonough, Menahan, Moore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, Russell, Schye, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Whalen, Wyatt, Mr. Speaker.

Total 51

Noes: Bardanoue, Boharski, Campbell, Clark, Cobb, Compton, DeBruycker, Elliott, Ellison, Eudaily, Giacometto, Glaser, Grady, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Iverson, Kasten, Keller, Knapp, Koehnke, Lee, Marks, Mercer, R. Nelson, T. Nelson, O'Connell, Owens, Patterson, Peck, Peterson, Phillips, Ramirez, Rehberg, Rice, Roth, Simon, Simpkins, Smith, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Zook.

Total 49

Paired: Gilbert, Aye; Hannah, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

MOTIONS

Representative Vincent moved HB 500 be taken from the table in the Committee on Appropriations and printed and placed on second reading. Motion failed. (53-46)

Representative Quilici moved HB 640 be taken from the table in the Committee on Appropriations and printed and placed on second reading. Motion failed. (52-42)

Representative Harper moved the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 486. Motion carried.

Speaker Pro Tempore Addy noted Speaker Vincent appointed the following members:

Representative Raney, Chairman

Representative Elliott
Representative Grady

Representative Harper moved the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 626. Motion carried.

Speaker Pro Tempore Addy noted Speaker Vincent appointed the following members:

Representative Whalen, Chairman
Representative Stang
Representative Hannah

Representative Harper moved the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on House amendments to SB 65. Motion carried.

Speaker Pro Tempore Addy noted Speaker Vincent appointed the following members:

Representative Harrington, Chairman
Representative Driscoll
Representative Hoffman

Representative Harper moved the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate to confer on House amendments to SB 95. Motion carried.

Speaker Pro Tempore Addy noted Speaker Vincent appointed the following members:

Representative Cocchiarella, Chairman
Representative O'Keefe
Representative Wallin

Representative Harper moved the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on House amendments to SB 111. Motion carried.

Speaker Pro Tempore Addy noted Speaker Vincent appointed the following members:

Representative DeMars, Chairman
Representative Stepler
Representative Compton

Representative Harper moved the House dissolve the conference committee on House amendments to SB 173 and the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on House amendments to SB 173. Motion carried.

Speaker Pro Tempore Addy noted Speaker Vincent appointed the following members:

Representative Darko, Chairman
Representative Pavlovich
Representative Smith

Representative Harper moved the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate to confer on House amendments to SB 296. Motion carried.

Speaker Pro Tempore Addy noted Speaker Vincent appointed the following members:

Representative J. Brown, Chairman
Representative Squires
Representative Roth

Representative Harper moved the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on House amendments to SB 333. Motion carried.

Speaker Pro Tempore Addy noted Speaker Vincent appointed the following members:

Representative Spaeth, Chairman
Representative Addy
Representative Mercer

Representative Harper moved the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on House amendments to SB 363. Motion carried.

Speaker Pro Tempore Addy noted Speaker Vincent appointed the following members:

Representative D. Brown, Chairman
Representative Strizich
Representative Mercer

Representative Harper moved the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on House amendments to SB 377. Motion carried.

Speaker Pro Tempore Addy noted Speaker Vincent appointed the following members:

Representative Addy, Chairman
Representative Strizich
Representative Gould

Representative Harper moved the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on House amendments to SB 427. Motion carried.

Speaker Pro Tempore Addy noted Speaker Vincent appointed the following members:

Representative Harper, Chairman
Representative J. Brown
Representative R. Nelson

Representative Campbell moved SB 235 be taken from the table in the Committee on Labor and Employment Relations and printed and placed on second reading.

Representative Pavlovich moved the previous question. Motion carried.

Thereupon, the motion failed. (54-43)

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

4/6/89

Delivered to the Governor for his approval at 3:01 p.m., 4/6/89: HB 495, HB 518, HB 544, HB 561, HB 576, HB 577, HB 593, HB 595, HB 597, HB 616, HB 645, HB 651, HB 668, HB 691.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved the House adjourn until 12:30 p.m., Friday, April 7, 1989.

Motion carried.

House adjourned at 4:15 p.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

SEVENTY-EIGHTH LEGISLATIVE DAY

Helena, Montana
April 7, 1989

House Chambers
State Capitol

House convened at 12:45 p.m., Mr. Speaker in the Chair. Invocation by Representative Grinde. Pledge of Allegiance to the Flag.

Roll call. All members present except Hannah, Moore, and Westlake, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

AGRICULTURE, LIVESTOCK, AND IRRIGATION (Bachini, Chairman):

4/7/89

HJR 43, do pass. Report adopted.

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on Senate Bill 333
Report No. 1, April 5, 1989

Mr. President and Mr. Speaker:

We, your Free Conference Committee on SB 333, considered and recommend the House Committee of the Whole amendments be rejected and SB 333 (reference copy — salmon) be amended as follows:

1. Page 49, lines 3 through 16.

Strike: "IF" on line 3 through "CUSTODIAN" on line 16

Insert: "In the absence of an express provision to the contrary in a trust instrument, whenever the instrument directs or permits investments in obligations of the United States government, the trustee has the power to invest in those obligations directly or in the form of securities or other interests in an open-end or closed-end management type investment company or investment trust registered under the Investment Company Act of 1940 (15 U.S.C. 80a-1 through 80a-64), as amended, or an investment vehicle authorized for the collective investment of trust funds pursuant to section 9.18 of Title 12 of the Code of Federal Regulations, if:

(1) the portfolio of the investment company, investment trust, or investment vehicle is limited to United States government obligations and repurchase agreements fully collateralized by United States government obligations; and

(2) the investment company, investment trust, or investment vehicle takes delivery of the collateral for any repurchase agreement, either directly or through an authorized custodian"

And this Free Conference Committee report be adopted.

For the Senate:

Crippen, Chairman
Bishop
Mazurek

For the House:

Spaeth
Addy
Mercer

Report adopted.

Free Conference Committee
on Senate Bill 363
Report No. 1, April 5, 1989

Mr. President and Mr. Speaker:

We, your Free Conference Committee on SB 363 considered and recommend SB 363 (reference copy — salmon) be amended as follows:

1. Title, line 7.
Strike: "\$10,000"
Insert: "\$5,000"

2. Page 2, line 6.
Strike: "\$10,000"
Insert: "\$5,000"

And this Free Conference Committee report be adopted.

For the Senate:

Crippen, Chairman
Bishop
Halligan

For the House:

D. Brown
Strizich
Mercer

Report adopted.

MESSAGES FROM THE SENATE

House bill concurred in and returned to the House: 4/6/89

HB 173, introduced by R. Nelson

House bill concurred in as amended and returned to the House for concurrence in Senate amendments: 4/6/89

HB 463, introduced by Thoft

Governor's amendments to House bills concurred in and returned to the House: 4/6/89

HB 1, introduced by Ramirez

HB 391, introduced by Driscoll

Senate bill passed and transmitted to the House for concurrence: 4/6/89

SJR 20, introduced by Bengtson

House amendments concurred in: 4/6/89

SB 105, introduced by Mazurek

SB 129, introduced by Manning

SB 134, introduced by Manning

SB 160, introduced by Blaylock

SB 167, introduced by Bengtson

SB 169, introduced by Bengtson

SB 201, introduced by Keating

SB 207, introduced by B. Brown

SB 261, introduced by Beck

SB 287, introduced by Lynch

SB 303, introduced by Thayer

SB 356, introduced by Mazurek

SB 428, introduced by Thayer

SB 432, introduced by Bengtson

SB 449, introduced by Beck

SJR 15, introduced by Severson

SJR 16, introduced by Severson

The Senate, on 4/5/89, failed to concur in House amendments to SB 128 and appointed a free conference committee, requesting the House appoint a like committee to confer on House amendments to SB 128.

President Galt appointed the following members:

Senator McLane, Chairman
Senator Aklestad
Senator Manning

The Senate, on 4/5/89, failed to concur in House amendments to SB 256 and appointed a conference committee, requesting the House appoint a like committee to confer on House amendments to SB 256.

President Galt appointed the following members:

Senator Severson, Chairman
Senator Beck
Senator Yellowtail

MESSAGES FROM THE GOVERNOR

John Vincent
Speaker of the House
Montana House of Representatives
State Capitol
Helena, Montana 59620

April 6, 1989

Dear Representative Vincent:

Please be informed that I have signed House Bills 169, 211, 222, 346, 394, and 413 on April 6, 1989.

Sincerely,

STAN STEPHENS
Governor

MOTIONS

Representative Kadas moved the rules be suspended to allow him to exceed the five-minute rule on his opening statement on SB 203.

Representative Harper moved to amend the motion to also allow Representative Eudaily to exceed the five-minute rule. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Iverson in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Representative Westlake present at this time.

Representative Simpkins excused at this time.

SB 203 - Representative Kadas moved SB 203 be concurred in.

Representative Schye made a substitute motion to revert to the body of the bill for the purpose of amendment. Motion carried.

Representatives D. Brown and Marks excused at this time.

Representative Schye moved SB 203, second House, second reading copy, be amended as follows:

1. Title, line 6.

Strike: "AND SCHOOL PERSONNEL RETIREMENT"

2. Title, line 8.

Strike: "THE DISTRICTS' RETIREMENT FUNDS"

Insert: "PROVIDE FULL REIMBURSEMENT, WITH STATE
EQUALIZATION AID MONEY, OF EACH DISTRICT'S RETIRE-
MENT FUND EXPENDITURES"

3. Title, page 2, line 25.

Strike: "19-4-605,"

4. Title, page 3, line 1.

Strike: "20-3-106,"

5. Title, page 3, line 8.

Following: "20-9-344,"

Insert: "20-9-346, 20-9-347, 20-9-351,"

6. Title, page 3, line 9.

Following: "20-10-105,"

Insert: "20-9-501,"

7. Title, page 3, line 13.

Strike: "20-9-501,"

8. Page 4, lines 8 through 10.

Strike: "100%" through "personnel;" on line 10

9. Page 4, line 12.

Strike: ","

Insert: ","

10. Page 4.

Following: line 14

Insert: "The legislature also determines to equalize funding for retire-
ment by providing state equalization aid payments sufficient to
finance 100% of the costs incurred by each public school district for
retirement, social security, and unemployment insurance."

11. Page 11, line 6 through page 17, line 6.

Strike: sections 4 and 5 in their entirety

Renumber: subsequent sections

12. Page 23, line 19.

Following: "fund,"

Insert: "retirement fund,"

13. Page 26, line 9.

Strike: "and"

Insert: ","

14. Page 26, line 10.

Following: "fund"

Insert: "," and if the pupil is a resident of another county, the retire-
ment fund"

15. Page 27, line 9.

Strike: "and"

Insert: ","

16. Page 27, line 10.

Following: "fund"

- Insert: “, and if the pupil is a resident of another county, the retirement fund”
17. Page 46, line 23.
Following: “~~fund,~~”
Insert: “retirement fund,”
18. Page 61, lines 10 and 11.
Strike: “, retirement fund,”
19. Page 62, line 2.
Strike: “\$28,725”
Insert: “\$25,299”
20. Page 62, line 5.
Strike: “\$28,725”
Insert: “\$25,299”
21. Page 62, line 6.
Strike: “\$1,201”
Insert: “\$1,057”
22. Page 62, line 11.
Strike: “\$47,085”
Insert: “\$41,469”
Strike: “\$1,201”
Insert: “\$1,057”
23. Page 62, line 14.
Strike: “\$39,531”
Insert: “\$34,816”
24. Page 62, line 15.
Strike: “\$1,201”
Insert: “\$1,057”
25. Page 62, line 19.
Strike: “\$63,113”
Insert: “\$55,585”
Strike: “\$752”
Insert: “\$662”
26. Page 63, line 2.
Strike: “\$2,789”
Insert: “\$2,456”
Strike: “\$2.71”
Insert: “\$2.38”
27. Page 63, line 6.
Strike: “\$2,626”
Insert: “\$2,313”
28. Page 63, line 7.
Strike: “\$1.48”
Insert: “\$1.30”
29. Page 63, line 10.
Strike: “\$2,324”
Insert: “\$2,047”
30. Page 64, line 1.
Strike: “\$175,139”

Insert: "\$155,741"

31. Page 64, line 3.

Strike: "\$7,297"

Insert: "\$6,489"

32. Page 64, line 4.

Strike: "\$39.80"

Insert: "\$35.39"

33. Page 64, line 8.

Strike: "\$6,661"

Insert: "\$5,923"

34. Page 64, line 9.

Strike: "\$39.80"

Insert: "\$35.39"

35. Page 64, line 12.

Strike: "\$4,273"

Insert: "\$3,800"

36. Page 64, line 13.

Strike: "\$6.66"

Insert: "\$5.93"

37. Page 64, line 16.

Strike: "\$3,607"

Insert: "\$3,207"

38. Page 64, line 17.

Strike: "\$3.66"

Insert: "\$3.25"

39. Page 64, line 20.

Strike: "\$3,241"

Insert: "\$2,882"

40. Page 64, line 21.

Strike: "67"

Insert: "60"

41. Page 64, line 24.

Strike: "\$3,039"

Insert: "\$2,703"

42. Page 77, line 12.

Strike: "purpose"

Insert: "purposes"

Following: the first "of"

Insert: "reimbursement of the retirement fund expenditures of the public school districts and"

43. Page 77, line 18.

Following: "for"

Insert: "retirement reimbursement and"

44. Page 78, line 15.

Strike: "49"

Insert: "51"

45. Page 79, line 20.

Strike: "equalization aid"

Insert: "retirement reimbursement and foundation program"

46. Page 81, line 2.

Strike: "state equalization aid"

Insert: "each district's foundation program entitlement"

47. Page 81.

Following: line 8

Insert: "Section 37. Section 20-9-346, MCA, is amended to read:

"20-9-346. Duties of the superintendent of public instruction for state equalization aid distribution. The superintendent of public instruction shall administer the distribution of the state equalization aid by:

(1) establishing each district's annual entitlement to state equalization aid in support of its retirement fund and foundation program, based on the data reported in the budget retirement and general fund budgets for each district that ~~has~~ have been duly adopted for the current school fiscal year and verified by the superintendent of public instruction and by applying such verified data under the provisions of the state equalization aid allocation procedure prescribed in 20-9-347;

(2) recommending to the board of public education the ~~annual~~ entitlement of all districts to state equalization aid to enable the board of public education to order the distribution of state equalization aid;

(3) distributing by state warrant the state equalization aid, for each district entitled to such aid, to the county treasurer of the county where the district is located, in accordance with the distribution ordered by the board of public education;

(4) keeping a record in his office of the full and complete data concerning ~~moneys~~ money available for state equalization aid and the entitlements for state equalization aid of the several districts of the state;

(5) reporting to the board of public education the estimated amount which will be available for state equalization aid; and

(6) reporting to both ~~branches~~ houses of the state legislature in any year when a session is convened:

(a) the figures and data available in his office concerning distributions of state equalization aid during the preceding 2 school fiscal years;

(b) the amount of state equalization aid then available;

(c) the apportionment made of such available ~~moneys~~ money but not yet distributed; and

(d) the latest estimate of accruals of ~~moneys~~ money available for state equalization aid."

Section 38. Section 20-9-347, MCA, is amended to read:

"20-9-347. Formula for state equalization aid apportionment in support of foundation program. (1) The superintendent of public instruction shall apportion the state equalization aid available for support of the foundation program, individually for the elementary districts of a county or the high school districts of a county, in

accordance with 20-9-346 and on the basis of the following procedure:

(a) Determine the percentage that the total funds available to all counties in the state in support of the foundation program (including the state ~~moneys~~ money available for state equalization aid) is of the total amount of the foundation programs of all counties.

(b) Determine the percentage that the total funds available in each county in support of the foundation programs in ~~such~~ the county (excluding state ~~moneys~~ money available for state equalization aid) is of the total amount of the foundation programs of all districts of ~~such~~ the county.

(c) Counties in which the percentage determined in subsection (1)(b) exceeds the percentage determined in subsection (1)(a) ~~shall not be~~ are not entitled to an apportionment of the state equalization aid.

(d) After elimination of the counties referred to in subsection (1)(c), determine the percentage that the total ~~moneys~~ money available to all remaining counties in support of the foundation program (including the state ~~moneys~~ money available for state equalization aid) is of the total amount of the foundation programs of all ~~such~~ remaining counties.

(e) Each district of each remaining county ~~shall be~~ is entitled to an apportionment of the state equalization aid ~~which shall be equal to~~ the difference between the percentage determined in subsection (1)(d) and the percentage determined for ~~such~~ the county in subsection (1)(b) multiplied by the foundation program amount for ~~such~~ the district.

(2) The superintendent of public instruction shall apportion state equalization aid to each district in the full amount of the district's retirement fund expenditures.

(2)(3) The superintendent of public instruction shall supply the county treasurer and the county superintendent with a report of the apportionments of state equalization aid to the several districts each district of the county, and the state equalization aid shall must be apportioned to such the districts in accordance with such the report."

Section 39. Section 20-9-351, MCA, is amended to read:

"20-9-351. Funding of deficiency in state equalization aid. If the foundation program level made under the provisions of 20-9-348 is less than 100%, it shall be the duty of money available for state equalization aid is not sufficient to provide the foundation program schedule support determined in 20-9-348 and the retirement reimbursement required under 20-9-347, the superintendent of public instruction to shall request the budget director to submit a request for a supplemental appropriation in the second year of the biennium that would be is sufficient to complete the funding of retirement and the foundation programs of the elementary or secondary schools, or both, for the current biennium."

Renumber: subsequent sections

48. Page 83.

Following: line 17

Insert: "Section 41. Section 20-9-501, MCA, is amended to read:

"20-9-501. Retirement fund. (1) The trustees of any district employing personnel, except special education personnel, who are members of the teachers' retirement system or the public employees' retirement system or who are covered by unemployment insurance or who are covered by any federal social security system requiring employer contributions shall establish a retirement fund for the purposes of budgeting and paying the employer's contributions to such systems. The district's contribution for each employee who is a member of the teachers' retirement system shall be calculated in accordance with Title 19, chapter 4, part 6. The district's contribution for each employee who is a member of the public employees' retirement system shall be calculated in accordance with 19-3-801. ~~The district may levy a special tax to pay its contribution to the public employees' retirement system under the conditions prescribed in 19-3-204.~~ The district's contributions for each employee covered by any federal social security system shall be paid in accordance with federal law and regulation. The district's contribution for each employee who is covered by unemployment insurance shall be paid in accordance with Title 39, chapter 51, part 11.

(2) The trustees of any district required to make a contribution to any such system shall include in the retirement fund of the preliminary budget the estimated amount of the employer's contribution ~~and such additional moneys, within legal limitations, as they may wish to provide for the retirement fund cash reserve.~~ After the final retirement fund budget has been adopted, the trustees shall pay the employer contributions to such systems in accordance with the financial administration provisions of this title.

~~(3) When the final retirement fund budget has been adopted, the county superintendent shall establish the levy requirement by:-~~

~~(a) determining the sum of the moneys available to reduce the retirement fund levy requirement by adding:-~~

~~(i) any anticipated moneys that may be realized in the retirement fund during the ensuing school fiscal year, including anticipated revenue from vehicle property taxes imposed under 61-3-504(2) and 61-3-537;~~

~~(ii) net proceeds taxes for interim production and new production, as defined in 15-23-601; and~~

~~(iii) any cash available for reappropriation as determined by subtracting the amount of the end of the year cash balance earmarked as the retirement fund cash reserve for the ensuing school fiscal year by the trustees from the end of the year cash balance in the retirement fund. The retirement fund cash reserve shall not be more than 35% of the final retirement fund budget for the ensuing school fiscal year and shall be used for the purpose of paying retirement fund warrants issued by the district under the final retirement fund budget.~~

~~(b) subtracting the total of the moneys available for reduction of the levy requirement as determined in subsection (3)(a) from the budgeted amount for expenditures in the final retirement fund budget.~~

~~(4) The county superintendent shall-~~

~~(a) total the net retirement fund levy requirements separately for all elementary school districts, all high school districts, and all community college districts of the county, including any prorated joint district or special education cooperative agreement levy requirements;~~

~~(b) reduce the total retirement fund levy requirements of elementary school districts and high school districts by the amount available in state retirement equalization aid as calculated and distributed under the provisions of 20-9-632; and~~

~~(c) report each such levy requirement to the county commissioners on the second Monday of August as the respective county levy requirements for elementary district, high school district, and community college district retirement funds.~~

~~(5) The county commissioners shall fix and set such county levy in accordance with 20-9-142.~~

~~(6) The net retirement fund levy requirement for a joint elementary district or a joint high school district shall be prorated to each county in which a part of such district is located in the same proportion as the district ANB of the joint district is distributed by pupil residence in each such county. The county superintendents of the counties affected shall jointly determine the net retirement fund levy requirement for each county as provided in 20-9-151.~~

~~(7) The net retirement fund levy requirement for districts that are members of special education cooperative agreements shall be prorated to each county in which such district is located in the same proportion as the budget for the special education cooperative agreement of the district bears to the total budget of the cooperative. The county superintendents of the counties affected shall jointly determine the net retirement fund levy requirement for each county in the same manner as provided in 20-9-151 and fix and levy the net retirement fund levy for each county in the same manner as provided in 20-9-152. (Subsection (4)(b) effective July 1, 1988—sec. 8, Ch. 635, L. 1987.)”~~

Renumber: subsequent sections

49. Page 104, lines 17 and 18.

Strike: “formerly established under 20-9-501”

50. Page 106, line 5.

Strike: “49”

Insert: “52”

51. Page 107, line 3.

Strike: “52”

Insert: “56”

52. Page 108, line 8.

Strike: “53” and “59”

Insert: “57” and “63”

53. Page 108, line 10.

Strike: “54”

Insert: “58”

54. Page 109, line 5.

Strike: “59”

Insert: "61"

55. Page 111, lines 22 and 23.

Strike: "53" and "58"

Insert: "57" and "62"

56. Page 111, line 25.

Strike: "20-9-501,"

57. Page 112, line 10.

Following: "the"

Insert: "retirement funds of the public school districts and"

58. Page 113, line 5.

Strike: "54"

Insert: "58"

59. Page 113, line 11.

Strike: "52"

Insert: "56"

60. Page 113, line 22.

Strike: "[section 49]"

Insert: "[sections 51 and 52]"

61. Page 113, line 24.

Following: "[Sections 1 through"

Strike: "49"

Insert: "51"

62. Page 114, line 1.

Strike: "50, 60, 62, 63, and 65"

Insert: "23, 25 through 34(1), (3), and (4), 36 through 54, 64, 67, 68, and 70"

63. Page 114, line 3.

Insert: "24, 55, 56, and 65"

64. Page 114, line 5.

Insert: "35(2), 57 through 63,"

65. Page 114, line 10.

Strike: "49"

Insert: "51"

Representative Addy moved for cloture. Motion carried.

Representatives D. Brown and Marks excused at this time.

Thereupon, the amendment passed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Gervais, Hansen, Harper, Harrington, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough, Menahan, Moore, L. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, Rice, Russell, Schye, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Westlake, Whalen, Wyatt, Mr. Speaker.
Total 55

Noes: Aafedt, Boharski, Campbell, Clark, Compton, DeBruycker, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Iverson, Kasten, Keller, Lee, Marks,

Mercer, R. Nelson, T. Nelson, Owens, Patterson, Peterson, Phillips, Ramirez, Rehberg, Roth, Simon, Simpkins, Smith, Spring, Swift, Swysgood, Thoft, Thomas, Wallin, Zook.

Total 45

Paired: D. Brown, Harrington, Moore, Squires, Ayes; Ellison, Hannah, Marks, Roth, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representatives D. Brown and Marks present at this time.

Representative Harrington moved SB 203, second House, second reading copy, be amended. Amendment failed. (43-54)

Representative Gervais excused at this time.

Representative Peck moved SB 203, second House, second reading copy, be amended. Amendment failed. (47-51)

Representative Thomas excused at this time.

Representative Peck moved SB 203, second House, second reading copy, be amended as follows:

1. Title, page 3, line 10.

Following: "20-10-145,"

Strike: "AND"

2. Title, page 3, line 10.

Following: "23-5-1027,"

Insert: "AND 90-6-309,"

3. Page 44, line 3.

Strike: "under Public Law 81-874"

4. Page 44, line 4.

Following: "year"

Insert: ":

(a) under Public Law 81-874; or

(b) from the settlement of protested taxes owed for taxable years before or after [the effective date of this section], if payment of the taxes was first protested prior to [the effective date of this section] and was continuously protested each year thereafter until settlement"

5. Page 61.

Following: line 16

Insert: "(c) when a payment received during the preceding year in settlement of protested taxes owed for taxable years before or after [the effective date of this section] is the source of funding for the excess amount, but only if payment of the taxes was first protested prior to [the effective date of this section] and was continuously protested each year thereafter until settlement;"

Renumber: subsequent subsection

6. Page 105, lines 3 through 7.

April 7, 1989

Strike: "The" through "districts." on line 7

Insert: "NEW SECTION. Section 50. State and county equalization revenue — statutory appropriation. Revenue received in support of state and county equalization under the provisions of 20-9-331, 20-9-333, and 20-9-343 is statutorily appropriated, as provided in 17-7-502, to the superintendent of public instruction to be used for county equalization and state equalization aid for the public schools, as provided by law, and must be accounted for in accordance with generally accepted accounting principles."

Renumber: subsequent sections

7. Page 106, line 5.

Strike: "49"

Insert: "52"

8. Page 107.

Following: line 1

Insert: "Section 52. Section 90-6-309, MCA, is amended to read:

"90-6-309. Tax prepayment — large-scale mineral development. (1) After permission to commence operation is granted by the appropriate governmental agency, and upon request of the governing body of a county in which a facility is to be located, a person intending to construct or locate a large-scale mineral development in this state shall prepay property taxes as specified in the impact plan. This prepayment shall exclude the 6-mill university levy established under 20-25-423 and may exclude the mandatory county ~~levy~~ levies for the school foundation program of ~~45 mills~~ established in 20-9-331 and 20-9-333.

(2) The person who is to prepay under this section ~~shall~~ is not be obligated to prepay the entire amount established in subsection (1) at one time. Upon request of the governing body of an affected local government unit, the person shall prepay the amount shown to be needed from time to time as determined by the board.

(3) The person who is to prepay shall guarantee to the hard-rock mining impact board, through an appropriate financial institution, as may be required by the board, that property tax prepayments will be paid as needed for expenditures created by the impacts of the large-scale mineral development.

(4) When the mineral development facilities are completed and assessed by the department of revenue, they ~~shall be~~ are subject during the first 3 years and thereafter to taxation as all other property similarly situated, except that in each year after the start of production, the local government unit that received a property tax prepayment shall provide for repayment of prepaid property taxes in accordance with subsection (5).

(5) A local government unit that received all or a portion of the property tax prepayment under this section shall provide for tax crediting as specified in the impact plan. The tax credit allowed in any year may not, however, exceed the tax obligation of the developer for that year, and the time period for tax crediting is limited to the productive life of the mining operation.""

Renumber: subsequent sections

9. Page 107, line 3.

Strike: "52"

Insert: "56"

10. Page 108, line 8.

Strike: "53" and "59"

Insert: "57" and "63"

11. Page 108, line 10.

Strike: "54"

Insert: "58"

12. Page 109, line 5.

Strike: "59"

Insert: "63"

13. Page 111, line 2.

Strike: "874"

Insert: "81-874"

14. Page 111, lines 22 and 23.

Strike: "53" and "58"

Insert: "57" and "62"

15. Page 111, line 23.

Strike: "58"

Insert: "60"

16. Page 112, lines 2 through 5.

Strike: subsection (1) in its entirety

Renumber: subsequent subsections

17. Page 112, line 9.

Strike: "subsection (1)"

Insert: "[section 53]"

18. Page 113, line 5.

Strike: "54"

Insert: "58"

19. Page 113, line 11.

Strike: "52"

Insert: "56"

20. Page 113, line 22.

Strike: "[Section 49] is"

Insert: "[Sections 51 and 52] are"

21. Page 113, line 24.

Strike: "[section 49]"

Insert: "[sections 51 and 52]"

22. Page 114, line 1.

Following: "[Sections 1 through"

Strike: "50, 60, 62, 63, and 65"

Insert: "23, 25 through 34, 35(1), 3, and (4), 36 through 54, 64, 67,
68, and 70"

23. Page 114, line 3.

Insert: "24, 55, 56, and 65"

24. Page 114, line 5.

Insert: "35(2), 57 through 63,"

25. Page 114, line 9.

Insert: “[sections 17 and 46]”

Amendment passed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 86

Noes: Aafedt, DeBruycker, Grinde, Guthrie, Hayne, Kasten, Owens, Patterson, Smith.
Total 9

Paired: Moore, Aye; Smith, No.

Excused: Gervais, Hannah, Thomas.
Total 3

Absent or not voting: Rice, Wallin.
Total 2

Representative Gervais present at this time.

Representative Peck moved SB 203, second House, second reading copy, be amended. Amendment failed. (48-51)

Representative L. Nelson moved SB 203, second House, second reading copy, be amended as follows:

1. Page 62, line 2.

Strike: “\$28,725”

Insert: “\$28,980”

2. Page 62, line 5.

Strike: “\$28,725”

Insert: “\$28,980”

3. Page 62, line 6.

Strike: “\$1,201”

Insert: “\$1,211.23”

4. Page 62, line 11.

Strike: “\$47,085”

Insert: “\$47,503”

Strike: “\$1,201”

Insert: “\$1,211.23”

5. Page 62, line 14.

Strike: “\$39,531”

Insert: “\$39,882”

6. Page 62, line 15.

Strike: “\$1,201”

Insert: “\$1,211.23”

7. Page 62, line 19.

Strike: "\$63,113"

Insert: "\$63,674"

Strike: "\$752"

Insert: "\$758.51"

8. Page 63, line 2.

Strike: "\$2,789"

Insert: "\$2,813.49"

Strike: "\$2.71"

Insert: "\$2.73"

9. Page 63, line 6.

Strike: "\$2,626"

Insert: "\$2,649.60"

10. Page 63, line 7.

Strike: "\$1.48"

Insert: "\$1.49"

11. Page 63, line 10.

Strike: "\$2,324"

Insert: "\$2,344.30"

12. Page 64, line 1.

Strike: "\$175,139"

Insert: "\$175,005"

13. Page 64, line 3.

Strike: "\$7,297"

Insert: "\$7,291.57"

14. Page 64, line 4.

Strike: "\$39.80"

Insert: "\$39.77"

15. Page 64, line 8.

Strike: "\$6,661"

Insert: "\$6,656.13"

16. Page 64, line 9.

Strike: "\$39.80"

Insert: "\$39.77"

17. Page 64, line 12.

Strike: "\$4,273"

Insert: "\$4,269.80"

18. Page 64, line 16.

Strike: "\$3,607"

Insert: "\$3,603.88"

19. Page 64, line 20.

Strike: "\$3,241"

Insert: "\$3,238.16"

20. Page 64, line 24.

Strike: "\$3,039"

Insert: "\$3,037.01"

Amendment passed as follows:

Ayes: Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connely, Daily, Davis, DeBruycker,

DeMars, Elliott, Giacometto, Gould, Grady, Hansen, Harrington, Hayne, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, Owens, Peck, Quilici, Raney, Ream, Rice, Russell, Schye, Smith, Spaeth, Spring, Squires, Steppler, Stickney, Strizich, Swift, Thoft, Wallin, Westlake, Zook, Mr. Speaker.
Total 59

Noes: Aafedt, Addy, Boharski, Campbell, Clark, Cocchiarella, Darko, Driscoll, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Grinde, Guthrie, Hanson, Harper, Hoffman, Kasten, Keller, McCormick, O'Connell, O'Keefe, Patterson, Pavlovich, Peterson, Phillips, Ramirez, Rehberg, Roth, Simon, Stang, Swysgood, Whalen, Wyatt.
Total 36

Excused: Hannah, Moore, Thomas.
Total 3

Absent or not voting: Marks, Simpkins.
Total 2

Representative Thomas present at this time.

Representative L. Nelson moved SB 203, second House, second reading copy, be amended. Amendment failed. (20-78)

Representative Good excused at this time.

Representative Knapp moved SB 203, second House, second reading copy, be amended.

Representative Ellison moved for cloture. Motion carried.

Thereupon, the amendment failed as follows:

Ayes: Aafedt, Boharski, Campbell, Clark, Compton, DeBruycker, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Iverson, Kasten, Keller, Knapp, Lee, Mercer, R. Nelson, T. Nelson, Owens, Patterson, Peterson, Phillips, Ramirez, Rehberg, Rice, Roth, Simon, Simpkins, Smith, Spring, Steppler, Swift, Swysgood, Thoft, Thomas, Wallin, Zook.
Total 46

Noes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Gervais, Grady, Hansen, Harper, Harrington, Johnson, Kadas, Kilpatrick, Kimberley, Koehnke, McCormick, McDonough, Menahan, Moore, L. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, Russell, Schye, Spaeth, Squires, Stang, Stickney, Strizich, Westlake, Whalen, Wyatt, Mr. Speaker.
Total 53

Paired: Good, Hannah, Owens, Ayes; Kadas, Moore, O'Keefe, Noes.

Excused: None.
Total 0

Absent or not voting: Marks.
Total 1

Representative D. Brown moved SB 203, second House, second reading copy, be amended.

Representative D. Brown withdrew the amendment.

Representative Cobb moved SB 203, second House, second reading copy, be amended as follows:

1. Page 78, line 17.

Strike: "and"

2. Page 78, line 20.

Strike: "."

Insert: "; and"

3. Page 78.

Following: line 20

Insert: "(j) investment income earned by investing money in the state equalization aid account in the state special revenue fund.

(4) The superintendent of public instruction shall request the board of investments to invest the money in the state equalization aid account to maximize investment earnings to the account."

Renumber: subsequent subsection

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Hansen.

Total 1

Excused: Good, Hannah, Moore.

Total 3

Absent or not voting: Connelly.

Total 1

Representative D. Brown moved SB 203, second House, second reading copy, be amended. Amendment failed. (47-47)

Representative Good present at this time.

Representative Ellison moved SB 203, second House, second reading copy, be amended as follows:

1. Title, page 2, line 19.

Following: "YEARS;"

Insert: "TO INCREASE THE GENERAL BONUS PAYMENTS FOR ENLARGED DISTRICTS;"

2. Page 31, line 19.

Strike: "\$300"

Insert: "\$450"

3. Page 31, line 23.

Strike: "\$500"

Insert: "\$750"

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Lee, Marks, McDonough, Menahan, L. Nelson, R. Nelson, T. Nelson, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Zook, Mr. Speaker.

Total 87

Noes: Clark, Gervais, Knapp, Koehnke, McCormick, Mercer, Nisbet, O'Keefe, Stepler, Whalen, Wyatt.

Total 11

Excused: Hannah, Moore.

Total 2

Absent or not voting: None.

Total 0

Representative Kadas moved SB 203, second House, second reading copy, be amended.

Representative Cohen moved the amendment be divided. Motion carried.

Thereupon, amendments 1, 2, and 3 failed. (48-52)

Thereafter, Representative Kadas withdrew the remainder of the amendment.

Representative Kimberley moved SB 203, second House, second reading copy, be amended. Amendment failed. (48-52)

Representative D. Brown moved SB 203, second House, second reading copy, be amended as follows:

1. Title, page 2, line 19.

Following: "YEARS,"

Insert: "TO REQUIRE THAT THE TRUSTEES OF AN ELEMENTARY DISTRICT ESTABLISH OR MAKE AVAILABLE A KINDERGARTEN PROGRAM IN THE DISTRICT AND ALLOW FOR THIS PROVISION TO BE EFFECTIVE JULY 1, 1991;"

2. Title, page 3, line 4.

Following: "20-6-608,"

Insert: "20-7-117,"

3. Page 113.

Following: line 16

Insert: "Section 62. Section 20-7-117, MCA, is amended to read:

"20-7-117. Five-year-old schooling and preschool programs. (1) The trustees of an elementary district ~~may~~ shall establish or make available a program capable of accommodating, at a minimum, all the children in the district who will be 5 years old on or before September 10 of the school year for which the program is to be conducted or have been enrolled by special permission of the board of trustees. The program shall be an integral part of the elementary school and shall be financed and governed accordingly, provided that to be eligible for inclusion in the calculation of ANB pursuant to 20-9-311, a child must have reached the age of 5 on or before September 10 of the school year covered by the calculation or have been enrolled by special permission of the board of trustees.

(2) The trustees of an elementary school district may establish and operate a free preschool program for children between the ages of 3 and 5 years. When such preschool programs are established, they shall be an integral part of the elementary school and shall be governed accordingly. Financing of preschool programs shall not be supported by moneys available from state equalization aid."

Renumber: subsequent sections

4. Page 114, line 1.

Following: "60,"

Strike: "62,"

Insert: "through 64, and 66"

5. Page 114.

Following: line 6

Insert: "(4) [Section 66] is effective July 1, 1991."

Renumber: subsequent subsection

Amendment passed as follows:

Ayes: Addy, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, Driscoll, Elliott, Gervais, Gould, Grady, Guthrie, Hansen, Harper, Harrington, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, McCormick, McDonough, Menahan, L. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Quilici, Ramirez, Raney, Ream, Rehberg, Russell, Schye, Spaeth, Squires, Stickney, Strizich, Westlake, Whalen, Wyatt, Mr. Speaker.
Total 50

Noes: Aafedt, Bachini, Bardanouve, Boharski, Campbell, Clark, Cobb, Compton, DeBruycker, DeMars, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Grinde, Hanson, Hayne, Hoffman, Kasten, Keller, Knapp, Koehnke, Lee, Marks, Mercer, R. Nelson, T. Nelson, Owens, Patterson, Peck, Peterson, Phillips, Rice, Roth, Simon, Simpkins, Smith, Spring, Stang, Steppler, Swift, Swysgood, Thoft, Thomas, Wallin, Zook.
Total 48

Excused: Hannah, Moore.

Total 2

Absent or not voting: None.

Total 0

Representative Grinde moved SB 203, second House, second reading copy, be amended as follows:

1. Page 80, lines 12 through 14.

Following: "district" on line 12

Strike: “, in” through “education,” on line 14

2. Page 80, line 16.

Following: “by”

Strike: “the superintendent of public instruction or”

3. Page 80, line 17.

Following: “education,”

Insert: “or”

4. Page 80, line 18.

Following: “status”

Strike: “, or”

Insert: “.”

5. Page 80, lines 19 through 21.

Strike: subsection (c) in its entirety

6. Page 80.

Following: line 21

Insert: “(4) Prior to any proposed order by the board of public education to withhold distribution of state equalization aid, the district is entitled to a contested case hearing before the board of public education, as provided under the Montana Administrative Procedure Act.”

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Hannah, Moore.

Total 2

Absent or not voting: None.

Total 0

Representative Ramirez moved SB 203, second House, second reading copy, be amended as follows:

1. Page 113, line 14.

Following: “for”

Insert: “education”

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Compton, Connelly,

Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Swift, Swysgood, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Bardanouve, Cody, Cohen, Gervais, Ream, Thoft.

Total 6

Excused: Hannah, Moore.

Total 2

Absent or not voting: Strizich.

Total 1

Representative Bardanouve moved SB 203, second House, second reading copy, be amended. Amendment failed. (24-73)

Representative Bardanouve moved SB 203, second House, second reading copy, be amended. Amendment failed. (48-50)

Representative Kasten moved SB 203, second House, second reading copy, be amended as follows:

1. Page 107, line 25.

Strike: "and"

2. Page 108.

Following: line 2

Insert: "(vi) local exchange carriers providing telecommunications service within the state; and"

Amendment passed as follows:

Ayes: Aafedt, Addy, Blotkamp, Bradley, D. Brown, J. Brown, Campbell, Cobb, Compton, Ellison, Eudaily, Giacometto, Gilbert, Good, Gould, Grady, Grinde, Guthrie, Hansen, Harper, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Knapp, Koehnke, Lee, Marks, Mercer, L. Nelson, R. Nelson, T. Nelson, O'Connell, O'Keefe, Owens, Patterson, Peterson, Phillips, Quilici, Ramirez, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Stickney, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Zook, Mr. Speaker.

Total 60

Noes: Bachini, Boharski, Brooke, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Gervais, Glaser, Hansen, Harrington, Kadas, Kilpatrick, Kimberley, McCormick, McDonough, Menahan, Nisbet, Pavlovich, Peck, Raney, Ream, Schye, Squires, Stang, Stepler, Strizich, Whalen, Wyatt.

Total 37

Excused: Hannah, Moore.

Total 2

Absent or not voting: Bardanouve.

Total 1

Thereupon, SB 203, as amended, concurred in as follows:

Ayes: Addy, Bardanouve, Blotkamp, Brooke, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeMars, Elliott, Ellison, Eudaily, Gervais, Gilbert, Good, Gould, Grady, Guthrie, Hansen, Harper, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Koehnke, McCormick, L. Nelson, R. Nelson, T. Nelson, O'Connell, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Rice, Russell, Simpkins, Spaeth, Squires, Stang, Stickney, Thomas, Wallin, Westlake, Zook.
Total 53

Noes: Aafedt, Bachini, Boharski, Bradley, D. Brown, Campbell, Cobb, Daily, DeBruycker, Driscoll, Giacometto, Glaser, Grinde, Hannah, Hanson, Harrington, Hayne, Hoffman, Iverson, Kasten, Knapp, Lee, Marks, McDonough, Menahan, Mercer, Nisbet, O'Keefe, Owens, Patterson, Phillips, Ream, Rehberg, Roth, Schye, Simon, Smith, Spring, Steppler, Swift, Swysgood, Thoft, Whalen, Wyatt, Mr. Speaker.
Total 45

Paired: Darko, Aye; Hannah, No.

Excused: Moore.
Total 1

Absent or not voting: Strizich.
Total 1

Representative Harper moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Iverson moved the adoption of the committee report. Report adopted. (50-47)

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

4/7/89

Correctly printed: HR 2.

Correctly engrossed: SB 132.

Correctly enrolled: HB 54, HB 73, HB 143, HB 234, HB 370, HB 444, HB 525, HB 545, HB 564, HB 590, HB 603, HB 701, HB 712.

Examined by the sponsors and found to be correct:

HB 54 - Hanson
HB 73 - Kimberley
HB 143 - Schye
HB 234 - Spaeth
HB 370 - Cocchiarella
HB 444 - J. Brown
HB 525 - Swysgood
HB 545 - Schye
HB 564 - McCormick
HB 590 - Schye
HB 603 - Raney
HB 701 - Swysgood
HB 712 - Wallin

Signed by the Speaker at 4:30 p.m., 4/6/89: HB 122, HB 295, HB 307, HB 318, HB 319, HB 336, HB 349, HB 350, HB 364, HB 389, HB 483, HB 536, HB 542, HB 630, HB 647, HB 655, HB 657, HB 671, HB 682, HB 720, HB 727, HB 736, HJR 30.

Delivered to the Governor for his approval at 10:09 a.m., 4/7/89: HB 87, HB 204, HB 245, HB 258, HB 332, HB 367, HB 401, HB 422, HB 432, HB 437, HB 440, HB 447, HB 455, HB 458, HB 489.

Delivered to the Governor for his approval at 12:55 p.m.,
4/7/89: HB 122, HB 295, HB 307, HB 318, HB 319, HB 336,
HB 349, HB 350, HB 364, HB 389, HB 483, HB 536, HB 542,
HB 630, HB 647, HB 655, HB 657, HB 671, HB 682, HB 720,
HB 727, HB 736.

TAXATION (Harrington, Chairman):

4/7/89

SB 302, be concurred in. Report adopted.

SB 341, third reading copy, be amended as follows:

1. Title, line 16.

Following: "SECTIONS"

Insert: "5-11-112,"

Following: "5-12-302"

Insert: ", "

2. Page 2.

Following: line 12

Insert: "Section 1. Section 5-11-112, MCA, is amended to read:

"5-11-112. Functional divisions. The legislative council may establish functional divisions within the council staff in order to carry out all of the responsibilities delegated to the council by law or legislative rule. The divisions shall include the following:

(1) legislative services division:

(a) engrossing and enrolling;

(b) mailroom;

(c) printing;

(2) research and reference services division:

(a) general and specialized legislative research;

(b) legislative reference and information, including preparation and publication of the Legislative Review to be sold at the cost of the publication plus postage;

(c) committee staffing when the legislature is not in session, including staffing for the revenue oversight committee;

(3) legal services division:

(a) bill drafting;

(b) legal counseling;

(4) management and business services division, which shall:

(a) maintain bookkeeping records;

(b) sign claims and payrolls;

(c) order all printing, supplies, and equipment; and

(d) serve the house and senate during the session.'"

Renumber: subsequent sections

3. Page 3, line 9.

Following: "(6)"

Strike: "assist"

Insert: "as requested by"

Following: "committee"

Insert: ", assist the committee"

4. Page 3, line 11.

Strike: "2(5)"

Insert: "3(5)"

5. Page 4, line 17.

Following: "(5)"

Insert: "(a)"

6. Page 4, line 18.

Following: "appropriation."

Insert: "(b)"

7. Page 4, line 25.

Following: "estimate."

Insert: "(c)"

8. Page 5, line 4.

Following: "houses."

Insert: "(d) The committee may request the assistance of the staffs of the legislative council, the office of the legislative fiscal analyst, the legislative auditor, the department of revenue, and any other agency that has information regarding any of the tax or revenue bases of the state."

And, as amended, be concurred in. Report adopted.

SB 379, third reading copy, be amended as follows:

1. Page 4, line 16.

Following: line 15

Insert: "NEW SECTION. Section 4. Coordination instruction. If [this act] and House Bill No. 35 are both passed and approved, the amendment in [section 2 of this act] to 15-6-139 is void."

Renumber: subsequent section

And, as amended, be concurred in. Report adopted.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bill was introduced, read first time, and referred to committee:

HJR 44, introduced by Russell, Kilpatrick, Pavlovich, Whalen, Driscoll, McCormick, Squires, Cocchiarella, Rice, Lee, Thomas, Smith, Glaser, Compton (by request of the House Committee on Labor and Employment Relations), referred to Committee on Labor and Employment Relations

The following Senate bill was introduced, read first time, and referred to committee:

SJR 20, introduced by Bengtson, Thayer, Pinsonneault, Halligan, Weeding, Beck, Galt, Devlin, Jergeson, Manning, Boylan, Williams, Abrams, Blaylock, Crippen, Simon, Lee, Peck, Spaeth, Eudaily, Bardanouve, Rehberg, Boharski, Hager, referred to Committee on State Administration

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 35, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Hannah, Moore.

Total 2

Absent or not voting: Hansen, Phillips.

Total 2

HB 415, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Cody, Cohen, Driscoll, Elliott, Kilpatrick, Nisbet, Peck.

Total 7

Excused: Hannah, Moore.

Total 2

Absent or not voting: Keller.

Total 1

SB 132 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream,

April 7, 1989

Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Campbell, Clark, Hansen.

Total 3

Excused: Hannah, Moore.

Total 2

Absent or not voting: None.

Total 0

SJR 12 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Peck.

Total 1

Excused: Hannah, Moore.

Total 2

Absent or not voting: Kasten.

Total 1

MOTIONS

Representative Harper moved the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on House amendments to SB 128. Motion carried.

Speaker Vincent appointed the following members:

Representative Hansen, Chairman

Representative Driscoll

Representative Marks

Representative Harper moved the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate to confer on House amendments to SB 450. Motion carried.

Speaker Vincent appointed the following members:

Representative O'Keefe, Chairman

Representative Harper

Representative Giacometto

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved the House adjourn until 8:00 a.m., Saturday, April 8, 1989.

Motion carried.

House adjourned at 6:23 p.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

SEVENTY-NINTH LEGISLATIVE DAY

Helena, Montana
April 8, 1989

House Chambers
State Capitol

House convened at 8:00 a.m., Speaker Pro Tempore Addy in the Chair. Invocation by Representative Westlake. Pledge of Allegiance to the Flag.

Roll call. All members present except Aafedt, Cody, Cohen, Ellison, Hannah, Moore, and Stickney, excused. Quorum present.

MOTIONS

Representative Thomas moved the rules be suspended to allow the late drafting and introduction of a joint resolution. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative L. Nelson in the Chair.

Speaker Pro Tempore: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 270 - Representative Harper moved SB 270 be concurred in. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Smith, Spaeth, Spring, Squires, Stang, Stepler, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: Campbell, DeBruycker, Giacometto, Gilbert, Owens, Simpkins.

Total 6

Excused: Aafedt, Cody, Cohen, Ellison, Hannah, Moore, Stickney.

Total 7

Absent or not voting: None.

Total 0

Representative Campbell excused at this time.

SB 446 - Representative Russell moved SB 446 be concurred in.

Representative Lee made a substitute motion to revert to the body of the bill for the purpose of amendment. Motion carried.

Representatives Simpkins and Thoft excused at this time.

Representative Lee moved SB 270, third reading copy, be amended.

Representative R. Nelson moved for cloture. Motion carried.

Thereupon, the amendment failed. (40-54)

Representative Menahan moved for cloture. Motion carried.

Thereafter, SB 446 was concurred in as follows:

Ayes: Addy, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, DeMars, Driscoll, Elliott, Gervais, Giacometto, Good, Grady, Hansen, Harper, Harrington, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Phillips, Quilici, Raney, Ream, Rice, Roth, Russell, Schye, Smith, Spaeth, Squires, Stang, Stickney, Strizich, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 60

Noes: Aafedt, Bachini, Boharski, Clark, Cobb, Davis, DeBruycker, Eudaily, Gilbert, Glaser, Gould, Grinde, Guthrie, Hanson, Hayne, Hoffman, Kasten, Keller, Lee, Mercer, R. Nelson, Owens, Patterson, Peck, Peterson, Ramirez, Rehberg, Simon, Spring, Steppler, Swift, Swysgood, Thomas, Wallin, Zook.

Total 35

Paired: Cody, Cohen, Knapp, Moore, Raney, Stickney, Ayes; Aafedt, Boharski, Gilbert, Lee, Rehberg, Simon, Noes.

Excused: Campbell, Ellison, Hannah, Simpkins, Thoft.

Total 5

Absent or not voting: None.

Total 0

Representative Harper moved the committee rise and report. Motion carried. Committee arose. House resumed. Speaker Pro Tempore Addy in the Chair. Chairman L. Nelson moved the adoption of the committee report. Report adopted. (61-26)

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

4/8/89

Signed by the Speaker at 8:30 a.m., 4/8/89: HB 54, HB 73, HB 143, HB 234, HB 370, HB 444, HB 525, HB 545, HB 564, HB 590, HB 603, HB 701, HB 712, SB 77, SB 106, SB 107, SB 108, SB 113, SB 305.

Signed by the Speaker at 10:30 a.m., 4/8/89: SB 8, SB 38, SB 42, SB 70, SB 94, SB 137, SB 146, SB 179, SB 204, SB 215, SB 216, SB 249, SB 256, SB 257, SB 272, SB 276, SB 284, SB 285, SB 311, SB 314, SB 322, SB 338, SB 348, SB 388, SB 389, SB 390, SB 392, SB 395, SB 406, SB 413, SJR 3, SJR 17.

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on House Bill 159
Report No. 1, April 6, 1989

Mr. President and Mr. Speaker:

We, your Free Conference Committee on HB 159, considered and recommend HB 159 (reference copy — salmon) be amended as follows:

1. Title, line 11.
Following: "SYSTEM;"
Insert: "AND"

2. Title, lines 12 and 13.

Strike: “,” on line 12 through “DATE” on line 13

3. Page 2, line 6.

Strike: “(2)”

4. Page 2, line 7.

Strike: “subsection” and “(1)”

Insert: “this section”

5. Page 2, line 8.

Strike: “(a)” and “(2)(b):”

Insert: “(3).”

6. Page 2, line 9.

Strike: “(a)” through “the”

Insert: “(2) The”

Strike: “ ”

Insert: “shall transfer to the public employees’ retirement system”

7. Page 2, line 22.

Strike: “(b) from the”

Insert: “(3) (a) The”

Strike: “, the”

Insert: “shall pay an”

Strike: “of”

Insert: “equal to”

8. Page 3.

Following: line 2

Insert: “(b) If the sum of the rates provided in 19-3-701 and 19-3-801 exceeded the sum of the rates provided in 19-4-602 and 19-4-605 at the time the employee terminated active membership, as defined in 19-4-302, the employee shall pay an amount in addition to that required in subsection (3)(a) to receive full credit for the service transferred. This additional amount is equal to:

(i) the final compensation as determined in subsection (2) multiplied by the total years of creditable service being transferred multiplied by the difference between the sum of the rates provided for in 19-3-701 and 19-3-801 and the sum of the rates provided in 19-4-602 and 19-4-605; plus

(ii) accrued interest from the date of termination until payment is received by the retirement system, based on the interest tables in use by the retirement system.

(c) If the member chooses not to make the contribution provided for in this section, he shall receive credit for the service transferred based on the ratio between the retirement systems’ employee and employer contribution rates provided for in 19-3-701, 19-3-801, 19-4-602, and 19-4-605.”

Renumber: subsequent subsections

9. Page 3, line 10.

Strike: “subsections” and “(1) and”

10. Page 3, line 11.

Strike: “(3)”

Insert: “this section”

11. Page 3, line 12.

Strike: “subsection”

Insert: "subsections"

Following: "(2)"

Insert: "and (3)"

12. Page 3, line 24.

Strike: "subsection"

Insert: "subsections"

Following: "(2)"

Insert: "and (3)"

13. Page 6, line 6.

Strike: "(2)"

14. Page 6, line 7.

Strike: "subsection" and "(1)"

Insert: "this section"

15. Page 6, line 8.

Strike: "(a)" and "(2)(b):"

Insert: "(3)."

16. Page 6, line 9.

Strike: "(a)" through "the"

Insert: "(2) The"

Strike: ", "

Insert: "shall transfer to the teachers' retirement system"

17. Page 6, line 22.

Strike: ".,"

Insert: ".,"

18. Page 6, line 23.

Strike: "(b)" through "the"

Insert: "(3) (a) The"

Strike: ".,"

19. Page 6, line 24.

Strike: "(i) the"

Insert: "shall pay an"

Strike: "of"

Insert: "equal to"

20. Page 7, line 3.

Strike: ".,"

Insert: ".,"

21. Page 7, lines 4 and 5.

Strike: "plus" on line 4 through "an" on line 5

Insert: "(b) If the sum of the rates provided in 19-4-602 and 19-4-605 exceeded the sum of the rates provided in 19-3-701 and 19-3-801 at the time the employee terminated active membership under 19-3-406, the employee shall pay an amount in addition to that required in subsection (3)(a) to receive full credit for the service transferred. This additional"

22. Page 7, line 5.

Following: "amount"

Insert: "is"

Strike: "2% of"

Insert: ":(i)"

23. Page 7, line 6.

Strike: "(a)"

24. Page 7, line 7.

Following: "transferred"

Insert: "multiplied by the difference between the sum of the rates provided in 19-4-602 and 19-4-605 and the sum of the rates provided in 19-3-701 and 19-3-801;"

Following: "plus"

Insert: "(ii)"

25. Page 7, line 11.

Strike: "(3)"

Insert: "(c)"

26. Page 7, line 12.

Strike: "subsection (2)(b)(ii)"

Insert: "this section"

27. Page 8, line 10.

Strike: "subsection"

Insert: "subsections"

Following: "(2)"

Insert: "and (3)"

28. Page 8, lines 23 and 24.

Strike: section 5 in its entirety

And this Free Conference Committee report be adopted.

For the Senate:

For the House:

Farrell, Chairman

Cocchiarella

Hammond

Peck

Regan

R. Nelson

Report adopted.

Conference Committee
on House Bill 700
Report No. 1, April 6, 1989

Mr. President and Mr. Speaker:

We, your Conference Committee on House Bill 700 met and considered HB 700 (reference copy — salmon) in its entirety be amended as follows:

Accept the Senate amendments (pink sheet) to HB 700.

And this Conference Committee Report be adopted.

For the Senate:

For the House:

Tveit, Chairman

Pavlovich

McLane

Bradley

Blaylock

Mercer

Report adopted.

MESSAGES FROM THE SENATE

The Senate, on 4/7/89, acceded to the request of the House and appointed a conference committee to meet with a like committee from the House to confer on Senate amendments to HB 486.

President Galt appointed the following members:

Senator Beck, Chairman
Senator Anderson
Senator Vaughn

The Senate, on 4/7/89, acceded to the request of the House and appointed a conference committee to meet with a like committee from the House to confer on Senate amendments to HB 626.

President Galt appointed the following members:

Senator Noble, Chairman
Senator Thayer
Senator Williams

MOTIONS

Representative Harper moved the rules be suspended to allow for transmittal from the Senate to the House of the following bills after the 80th legislative day: HB 44, HB 193, HB 200, HB 233, HB 277, HB 304, HB 320, HB 329, HB 333, HB 390, HB 469, HB 507, HB 510, HB 526, HB 535, HB 547, HB 555, HB 563, HB 583, HB 601, HB 609, HB 614, HB 619, HB 699, HB 717, HB 718, HB 739, HB 759, HB 760, HB 763, HB 768, HB 769, HB 772, HB 773, HB 775, HB 776, HB 777, HB 778, HB 780, HB 786, HB 789. Motion Carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Speaker Vincent introduced this week's pages:

Jim Allen, Stevensville
Marcus Courtney, Butte
Tracie Dennison, Missoula
Brian Michelotti, Butte
Kate Mitchell, Missoula
Rhonda Morgan, Winifred
Kevin Peoples, Butte
Tammy Prendergast, Polson
Jay Quilici, Butte
Latonna Spotted Eagle, Browning
Steve Strizich, Great Falls
Anna Volinkaty, Missoula

Representative Harper moved the House adjourn until 1:00 p.m., Monday, April 10, 1989.

Motion carried.

House adjourned at 10:40 a.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

EIGHTIETH LEGISLATIVE DAY

Helena, Montana
April 10, 1989

House Chambers
State Capitol

House convened at 1:00 p.m., Mr. Speaker in the Chair. Invocation by Representative Darko. Pledge of Allegiance to the Flag.

Roll call. All members present except Moore, L. Nelson, and Patterson, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journals for the seventy-second, seventy-third, seventy-fourth, seventy-fifth, seventy-sixth, and seventy-seventh legislative days, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 4/10/89

Correctly engrossed: SB 203.

Delivered to the Governor for his approval at 10:20 a.m.,
4/10/89: HB 54, HB 73, HB 143, HB 234, HB 370, HB 444,
HB 525, HB 545, HB 564, HB 590, HB 603, HB 701, HB 712.

HUMAN SERVICES AND AGING (Hansen, Chairman): 4/10/89

HJR 40, do pass. Report adopted.

JUDICIARY (D. Brown, Chairman): 4/10/89

SB 431, third reading copy, be amended as follows:

1. Title, line 10.

Following: "~~APPROPRIATION;~~"

Insert: "PROVIDING FOR STATUTORY APPROPRIATION;"

2. Title, line 11.

Following: "~~17-7-502,~~"

Insert: "17-7-502,"

3. Page 3, line 13.

Strike: "and fund"

4. Page 3, line 23.

Strike: "revocable"

Following: "privilege"

Insert: "revocable only for good cause"

5. Page 3, lines 23 through 25.

Strike: "A holder" on line 23 through "granted." on line 25

6. Page 5, lines 6 through 14.

Strike: "the receptacle" on line 6 through "bingo" on line 14

Insert: "equipment that may be inspected by the department and that randomly selects the numbers or symbols"

7. Page 5, line 15.

Strike: "game of chance"

Insert: "gambling activity"

8. Page 5, line 19.

Following: "75 numbers"

Insert: "or symbols"

Following: "One number"

Insert: "or symbol"

9. Page 5, line 21.

Following: "play"

Insert: ", except for the center square, which may be considered a free play"

Strike: "and letters"

Insert: "or symbols"

10. Page 5, lines 22 and 23.

Strike: "from a receptacle and announced by a bingo caller"

11. Page 5, line 23.

Strike: "and"

Insert: "until"

12. Page 5, line 24.

Following: "the person"

Insert: "or persons"

Strike: "covers"

Insert: "cover"

13. Page 5, line 25.

Following: "numbers"

Insert: "or symbols"

14. Page 6, lines 1 and 2.

Strike: "licensed by the department to work as a live bingo caller"

Insert: "18 years of age or older"

15. Page 6, line 3.

Strike: "objects"

Insert: "numbers or symbols"

16. Page 7, line 15.

Following: line 14

Insert: "at least"

17. Page 7, lines 16 and 17.

Strike: "licensed by the department to work as a live keno caller"

Insert: "18 years of age or older"

18. Page 7, line 21.

Strike: "caller's"

19. Page 11, line 9.

Following: "status"

Insert: ", with the power of search, seizure, and arrest,"

20. Page 11, lines 9 and 10.

Strike: ", regulate, and control all legal and illegal"

21. Page 11, line 12.

Following: "department"

Insert: "and to report violations to the county attorney of the county in which they occur"

22. Page 11, line 14.

Following: "department"

Insert: ", a former department employee during the first 365 days following termination of employment,"

23. Page 11, line 15.

Strike: "OTHER PERSON"

Insert: "peace officer or prosecutor"

24. Page 11, line 18.

Following: "organization"

Insert: ", other than a nonprofit corporation or organization,"

25. Page 12, line 25 through page 14, line 20.

Strike: "it appears" on line 25 through page 14, line 20

Insert: "a person has engaged or is engaging in an act or practice constituting a violation of a provision of parts 1 through 6 of this chapter or a rule or order of the department, the department may:

(a) issue a temporary order to cease and desist from the act or practice for a period not to exceed 60 days; and

(b) following notice and an opportunity for hearing, and with the right of judicial review, under the Montana Administrative Procedure Act:

(i) issue a permanent order to cease and desist from the act or practice, which order remains in effect pending judicial review;

(ii) place a licensee on probation;

(iii) suspend for a period not to exceed 180 days a license or permit for the gambling activity, device, or enterprise involved in the act or practice constituting the violation;

(iv) revoke a license or permit for the gambling activity, device, or enterprise involved in the act or practice constituting the violation;

(v) impose a civil penalty not to exceed \$10,000 for each violation, whether or not the person is licensed by the department; and

(vi) impose any combination of the penalties contained in this subsection (1)(b); and

(c) bring an action in district court for relief against the act or practice. The department may not be required to post a bond. On proper showing, the court may:

(i) issue a restraining order, a temporary or permanent injunction, or other appropriate writ;

(ii) suspend or revoke a license or permit; and

(iii) appoint a receiver or conservator for the defendant or the assets of the defendant.

(2) A civil penalty imposed under this section must be collected by the department and deposited in the state's general fund as required by 23-5-123. If a person fails to pay the civil penalty, the amount due is a lien on the person's licensed premises and gambling devices in the state and may be recovered by the department in a civil action."

26. Page 15, lines 7 through 14.

Strike: "a special" on line 7 through "problems" on line 14

Insert: "the state's general fund"

27. Page 15, line 18.

Following: "may"

Insert: " , based on information available to, required by, or supplied to the department under department rules,"

28. Page 15, line 20 through page 16, line 22.

Strike: subsection (2) in its entirety

Insert: "(2) The department shall issue a license unless the department can demonstrate that the applicant is:

(a) a person whose prior activities or criminal record:

(i) poses a threat to the public interest of the state or the effective regulation and control of gambling; or

(ii) creates a danger of illegal practices, methods, or activities in the conduct of gambling or in the carrying on of the business and financial arrangements incidental to gambling; or

(b) receiving a substantial amount of financing for the proposed operation from an unsuitable source. A lender or other source of money or credit that the department finds to meet the provisions of subsection (2)(a) may be considered an unsuitable source."

29. Page 18, line 13.

Strike: "must"

Insert: "may"

30. Page 18, line 14.

Strike: "and cannot be set aside by the court"

31. Page 19, line 23.

Following: "losses at"

Insert: "illegal"

32. Page 21, line 25.

Following: "of a"

Insert: "judgment in a"

33. Page 24, line 2.

Strike: "[SECTION 41]"

Insert: "23-5-413"

34. Page 24, line 8.

Following: "activity."

Insert: "The use of a check or credit card to pay for other goods or services in the establishment or to obtain cash is not a violation of this section."

35. Page 26, lines 13 through 16.

Strike: "An" on line 13 through line 16

Insert: "For the purposes of this section, an antique slot machine is a slot machine manufactured prior to 1950, the operation of which is exclusively mechanical in nature and is not aided in whole or in part by any electronic means."

36. Page 26, line 23.

Following: "city."

Insert: "A licensed manufacturer-distributor may possess and sell antique slot machines."

37. Page 27, line 5.

Following: "conviction"

Insert: "of a first offense"

Strike: "less"

Insert: "more"

38. Page 27, lines 5 through 7.

Strike: "or more" on line 5 through "violation" on line 7

39. Page 27, line 7.

Following: "."

Insert: "Upon a second conviction within 5 years of a first conviction, a person must be fined not more than \$1,000 or imprisoned in the county jail for not more than 6 months, or both. Upon a third conviction within 5 years of a second conviction, a person must be fined not more than \$10,000 or imprisoned in the county jail for not more than 1 year, or both. Upon a fourth conviction within 5 years of a third conviction, a person must be fined not more than \$10,000 or imprisoned in the county jail for not more than 1 year, or both, and the department shall revoke all licenses and permits the person holds under parts 1 through 6 of this chapter and the person is forever barred from receipt of any license or permit under this chapter. When 5 years have passed following a conviction, the record of that conviction may be made available only to criminal justice agencies or upon court order."

40. Page 27, lines 13 through 16.

Strike: "However" on line 13 through end of line 16

41. Page 28, line 7.

Following: "poker"

Insert: "(including jacks or better)"

42. Page 28, line 24.

Strike: "each"

Insert: "the first"

43. Page 28, line 25 through page 29, line 2.

Strike: "must be" on line 25 through "rules" on page 29, line 2

Insert: "is \$75, and the annual renewal fee is \$25"

44. Page 29, line 9.

Strike: "may"

Insert: "shall"

45. Page 29, line 11.

Following: "dealer."

Insert: "The rules must provide that a temporary license may be obtained at the place where a person locally applies for a driver's license and that the receipt received upon mailing an application for a permanent license by certified mail, return receipt requested, also constitutes a temporary license."

46. Page 29, lines 11 through 13.

Strike: "delegate" on line 11 through "authority to" on line 13

Insert: "not"

Following: "assess" on line 13

Strike: "and retain"

47. Page 30, line 1.

Following: ".,"

Insert: "and"

48. Page 30, line 2.

Insert: "\$750"

Insert: "\$500"

49. Page 30, lines 2 and 3.

Strike: "the second" on line 2 through "third and" on line 3

50. Page 30, line 17.

Following: "~~treasury.~~"

Insert: "The local government portion of this fee is statutorily appropriated to the department, as provided in 17-7-502, for deposit to the county or municipal treasury."

51. Page 32, line 5.

Following: "~~jurisdiction.~~"

Page 39, line 24.

Page 53, line 13.

Following: "~~[section 23]~~"

Insert: "However, in the jurisdiction of a local government where a game is played, the local government may adopt an ordinance allowing play between 2 a.m. and 8 a.m."

52. Page 33, line 12.

Following: "and (c)(4)"

Insert: "on January 15, 1989,"

53. Page 33, line 13.

Following: "part."

Insert: "An organization qualified for exemption under that section after that date is exempt from taxation under, and need only pay one-half the license fees under, this part if the organization carries on gambling activities for no more than 60 days a calendar year and if the activities are limited to its main premises or place of operations and to events at other places operated by other charitable organizations or by a government unit or entity."

54. Page 33, line 23 through page 34, line 17.

Strike: section 37 in its entirety

Renumber: subsequent sections

55. Page 35, lines 3 and 4 and line 18.

Strike: "gross proceeds"

56. Page 35, line 7.

Strike: "gross proceeds"

Insert: "net income"

57. Page 35, line 9.

Following: "premises."

Insert: "For purposes of this section, "net income" means gross proceeds, as defined in 23-5-101, minus the cost of equipment, supplies, personnel, and advertising allocated to the games. If in any year 5% of net income does not equal 1% of gross proceeds, then the licensee shall pay a tax of 1% of gross proceeds."

58. Page 35, lines 10 and 16.

Following: "gross proceeds"

Insert: "and net income"

59. Page 35, lines 14 and 15.

Strike: ", within 15 days after the end of each quarter,"

Insert: "annually"

60. Page 35, line 19.

Strike: "quarter"

Insert: "year"

61. Page 36, line 5.

Following: "~~treasury.~~"

Insert: "The tax collected under subsection (3) is statutorily appropriated to the department, as provided in 17-7-502, for deposit to the county or municipal treasury."

62. Page 36, line 17.

Following: "award."

Insert: "A player may give the caller a card with instructions on the card to play that card and its marked numbers for up to the number of successive games that the house allows and that the player has indicated on the card, upon payment of the price per game times the number of successive games indicated. The caller shall keep the card until the end of the number of games indicated, and the department may by rule provide that at that time the caller shall pay the player any prizes won."

63. Page 43, line 16.

Following: "makes,"

Insert: "or"

64. Page 43, lines 16 and 17.

Strike: ", or repairs"

65. Page 43, line 25.

Following: "the"

Insert: "number of approved"

66. Page 44, line 7.

Following: "Only"

Insert: "the number of approved"

67. Page 45, line 6.

Following: "Only a"

Insert: "(a)"

68. Page 45, line 13.

Following: "premises."

Insert: "(b) A person who has been granted an operator's license under [section 11] and is not entitled to a permit under subsection (1)(a) may be granted a permit for the placement of up to two video keno or bingo gambling machines in his premises if the premises have been licensed for the sale of food, cigarettes, or any other consumable product other than liquor or beer. If only one machine is allowed under subsection (1)(c), one more may be allowed under this subsection (b).

(c) If video keno or bingo gambling machines were legally operated on a premises on January 15, 1989, and the premises were not on that date licensed under 16-4-401(2) or operated for the principal purpose of gaming and there is an operator's license for the premises under [section 11], a permit for the same number of video keno or bingo gambling machines as were operated on the premises on that date may be granted to the person who held the permit for such machines on those premises on that date; to an ancestor, descendant, sibling, or spouse of that person; or to a person who purchases or leases the business that is on the premises. If the business is

moved to another premises, the permittee remains eligible for the same number of permits.

(d)"

69. Page 46, line 12.

Strike: "10 KENO AND BINGO"

Insert: "20"

70. Page 46, line 13.

Following: "AND"

Insert: "no more than"

Following: "10"

Insert: "may be"

71. Page 46, lines 18 through 22.

Strike: "IN THE" on line 18 through the end of line 22

72. Page 47, line 7.

Strike: "each"

Insert: "an approved"

73. Page 47, line 11.

Following: "machine"

Insert: "permit"

74. Page 48, line 1.

Following: "~~1989~~."

Insert: "(4) A used keno machine may be licensed under subsection (1) without meeting the requirements of 23-5-609 if the applicant for licensure can establish to the satisfaction of the department that, on the date of application, he owns or possesses a machine that was owned or operated in the state prior to June 30, 1987. A license issued under this subsection expires for all purposes no later than June 30, 1989."

75. Page 49, line 10.

Following: "part."

Insert: "The specifications in the rules must substantially follow the specifications contained in 23-5-606 and 23-5-609 as those sections read on September 30, 1989. The department shall adopt rules allowing video gambling machines to be imported into this state and used for the purposes of trade shows, exhibitions, and similar activities."

76. Page 49, line 15.

Following: "department"

Insert: "which specification or requirement existed at the time the machine was approved"

77. Page 49, line 24.

Following: "distribute"

Insert: "or"

Following: "supply"

Strike: ", or repair"

78. Page 52, line 11.

Strike: "\$100"

Following: "a hand or \$800"

Insert: "\$800"

79. Page 53, lines 24 and 25.

Strike: "or a rule promulgated"

Strike: "by the department" on line 25

80. Page 59, line 9.

Following: line 8

Insert: "Section 62. Section 17-7-502, MCA, is amended to read:

"17-7-502. Statutory appropriations — definition — requisites for validity. (1) A statutory appropriation is an appropriation made by permanent law that authorizes spending by a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations: 2-9-202; 2-17-105; 2-18-812; 10-3-203; 10-3-312; 10-3-314; 10-4-301; 13-37-304; 15-25-123; 15-31-702; 15-36-112; 15-65-121; 15-70-101; 16-1-404; 16-1-410; 16-1-411; 17-3-212; 17-5-404; 17-5-424; 17-5-804; 19-8-504; 19-9-702; 19-9-1007; 19-10-205; 19-10-305; 19-10-506; 19-11-512; 19-11-513; 19-11-606; 19-12-301; 19-13-604; 20-4-109; 20-6-406; 20-8-111; 23-5-610; [section 29]; [section 38]; 23-5-1027; 33-31-212; 33-31-401; 37-51-501; 39-71-2504; 53-6-150; 53-24-206; 67-3-205; 75-1-1101; 75-7-305; 76-12-123; 80-2-103; 80-2-228; 82-11-136; 90-3-301; 90-3-302; 90-3-412; 90-4-215; 90-9-306; 90-15-103; section 13, House Bill No. 861, Laws of 1985; and section 1, Chapter 454, Laws of 1987.

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for such payments. (In subsection (3): pursuant to sec. 15, Ch. 607, L. 1987, the inclusion of 15-65-121 terminates June 30, 1989; pursuant to sec. 10, Ch. 664, L. 1987, the inclusion of 39-71-2504 terminates June 30, 1991; and pursuant to sec. 6, Ch. 454, L. 1987, the inclusion of sec. 1, Ch. 454, L. 1987, terminates July 1, 1988.)"

Renumber: subsequent sections

81. Page 59, line 24.

Strike: "TWO"

Insert: "one"

82. Page 59, line 25.

Following: "GOVERNMENTS,"

Insert: "one being a Native American,"

83. Page 60, line 3.

Strike: "2-YEAR"

Insert: "3-year"

Following: "OFFICE"

Insert: ", except that three of the first-appointed original members shall serve a 1-year term, three (including both legislative members) shall serve a 2-year term, and three shall serve a 3-year term"

84. Page 61, line 3.

Following: "STATE."

Insert: "The department and council shall submit the two most recent department and council reports to each of the next two regular sessions of the legislature."

85. Page 61, line 10.

Following: line 9

Insert: "(9) The department shall give each council member notice and a copy of each proposed change in administrative rules relating to gambling. The notice and copy must be given at the time a notice of proposed rules changes is filed with the secretary of state. The council shall review the proposal, may comment on it, and may attend any hearing on the proposal. The department shall consider any comment by any council member or by the council as a whole prior to adopting the proposed change.

NEW SECTION. Section 65. Construction. In view of Article III, section 9, of the Montana constitution, [this act] must be strictly construed by the department and the courts to allow only those types of gambling and gambling activity that are specifically and clearly allowed by [this act]."

Renumber: subsequent sections

86. Page 61, lines 13 and 20.

Following: "commerce"

Insert: "and the department of revenue"

87. Page 62, line 25.

Page 63, line 3.

Strike: "39"

Insert: "38"

Strike: "43"

Insert: "42"

88. Page 63, lines 4 and 7.

Strike: "50"

Insert: "49"

Strike: "56"

Insert: "55"

Strike: "58"

Insert: "57"

89. Page 63, line 14.

Following: line 13

Insert: "NEW SECTION. Section 71. Coordination instruction. (1) The reference copy of House Bill No. 576 of the 51st legislature is amended to insert, on page 2, line 9, after "23-5-609(4)(L)", the phrase ", as that section read on September 30, 1989".

(2) The reference copy of House Bill No. 251 of the 51st legislature is amended to change "license" to "permit" on page 2, lines 2 and 13.

(3) The reference copy of House Bill No. 448 of the 51st legislature is amended to delete the amendments made to 23-5-104(1). Subsection (1) of 23-5-104 and the first sentence of 23-5-104(2) are deleted, as provided in [section 22], and the amendments to the remainder of 23-5-104 by [section 22] and House Bill No. 448 take effect."

Renumber: subsequent section

And, as amended, be concurred in. Report adopted.

TAXATION (Harrington, Chairman):

4/10/89

SB 410, third reading copy, be amended as follows:

1. Title, lines 13 and 14.

Strike: "CHANGING" on line 13 through "MINES" on line 14

2. Title, lines 15 and 16.

Strike: "FROM" on line 15 through "PROVISIONS;" on line 16

3. Title, line 18.

Strike: "MINE DEVELOPMENT"

Insert: "COUNTY HARD-ROCK MINE TRUST RESERVE
ACCOUNT AND METAL MINES TAX"

Following: "RESERVE"

Strike: "ACCOUNT"

Insert: "ACCOUNTS"

4. Title, line 19.

Following: "DISTRICTS;"

Insert: "TRANSFERRING, AFTER FISCAL YEAR 1990 AND AT
THE END OF EACH SUBSEQUENT FISCAL YEAR, FUNDS
REMAINING IN THE HARD-ROCK MINING IMPACT TRUST
ACCOUNT TO THE COUNTY HARD-ROCK MINE TRUST
RESERVE ACCOUNT; STATUTORILY APPROPRIATING
FUNDS;"

5. Title, line 21.

Following: "~~15-38-107,~~"

Strike: "AND"

Following: "15-38-202,"

Insert: "17-7-502, 90-6-305, AND 90-6-306,"

Following: "MCA;"

Insert: "REPEALING SECTIONS 90-6-321 AND 90-6-322, MCA;"

6. Page 4, line 20.

Following: "tax."

Insert: "(1)"

7. Page 5, line 3.

Following: "preceding"

Strike: ","

Insert: "."

(2) Concentrate shipped to a smelter, mill, or reduction work is taxed"

8. Page 5, line 8.

Strike: "1.8%"

Insert: "1.81%"

9. Page 5.

Following: line 12

Insert: "(3) Gold, silver, or any platinum-group metal that is dore, bullion, or matte and that is shipped to a refinery is taxed at the following rates:

Gross Value of Product	Rate of Tax (percentage of gross value)
first \$250,000	0%
more than \$250,000	1.6% of the increment"

10. Page 10, line 18.

Strike: "63%"

Insert: "58%"

11. Page 10, line 20.

Strike: "8%"

Insert: "1.5%"

12. Page 10, line 22.

Strike: "14%"

Insert: "15.5%"

13. Page 10, line 24.

Strike: "units of local government"

Insert: "county"

14. Page 10, line 25.

Strike: "15%"

Insert: "25%"

Following: "year,"

Strike: "of"

15. Page 11, line 1.

Strike: "which."

Insert: "to be allocated by the county commissioners as follows:

(i) not less than 40% to the county hard-rock mine trust reserve account established in [section 9]; and

(ii) all money not allocated to the account pursuant to subsection (1)(d)(i) to be further allocated as follows:"

16. Page 11, line 2.

Strike: "(i)"

Insert: "(A)"

Following: "county"

Insert: "for planning or economic development activities"

Renumber: subsequent subsections

17. Page 11, line 4.

Strike: "district in which the mine is located"

Insert: "districts within the county that have been affected by the development or operation of the metal mine"

18. Page 11, lines 5 and 6.

Following: "school" on line 5

Strike: "district in which the mine is located"

Insert: "districts within the county that have been affected by the development or operation of the metal mine"

19. Page 11, lines 7 and 8.

Following: "the" on line 7

Strike: "local units of government"

Insert: "county"

20. Page 11, line 9.

Following: "(1)(d)."

Insert: "The allocation to the county described by subsection (1)(d) is a statutory appropriation pursuant to 17-7-502."

21. Page 11.

Following: line 9

Insert: "NEW SECTION. Section 9. County hard-rock mine trust reserve account — expenditure restrictions. (1) The governing body of a county receiving an allocation under 15-37-117(1)(d) shall establish a county hard-rock mine trust reserve account.

(2) Money received by a county pursuant to 15-37-117 or [section 10] must remain in the account and may not be appropriated by the governing body until:

(a) a mining operation has permanently ceased all mining related activity; or

(b) the number of persons employed full-time in mining activities by the mining operation is less than one-half of the average number of persons employed full-time in mining activities by the mining operation during the immediately preceding 5-year period.

(3) If the circumstances described in subsections (2)(a) or (2)(b) occur, the governing body of the county must allocate at least one-third of the funds proportionally to affected high school districts and elementary school districts in the county, and may use the remaining funds in the account to:

(a) pay for outstanding capital project bonds or other expenses incurred prior to the end of mining activity or the reduction in the mining work force described in subsection (2)(b);

(b) decrease property tax mill levies that are directly caused by the cessation or reduction of mining activity;

(c) promote diversification and development of the economic base within the jurisdiction of a local government unit;

(d) attract new industry to the impact area;

(e) provide cash incentives for expanding the employment base of the area impacted by the changes in mining activity described in subsection (2); or

(f) provide grants or loans to other local government jurisdictions within the county to assist with impacts caused by the changes in mining activity described in subsection (2).

(4) Except as provided in subsection (3)(b), money held in the account may not be considered as cash balance for the purpose of reducing mill levies.

(5) Money in the reserve account must be invested as provided by law. Interest and income from the investment of funds in the account must be credited to the account.

NEW SECTION. Section 10. Fund transfer. (1) On July 1, 1990, and on each July 1 thereafter, all funds remaining in the hard-rock mining impact trust account established in 90-6-304(2) after June 30

immediately preceding must be transferred to the county for which the funds have been held in deposit. The funds so transferred must be deposited in the county hard-rock mine trust reserve account established in [section 9].

(2) The transfer of funds required by this section is a statutory appropriation pursuant to 17-7-502."

Renumber: subsequent sections

22. Page 17.

Following: line 19

Insert: "Section 13. Section 17-7-502, MCA, is amended to read:

"17-7-502. Statutory appropriations — definition — requisites for validity. (1) A statutory appropriation is an appropriation made by permanent law that authorizes spending by a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations: 2-9-202; 2-17-105; 2-18-812; 10-3-203; 10-3-312; 10-3-314; 10-4-301; 13-37-304; 15-25-123; 15-31-702; 15-36-112; 15-37-117; 15-65-121; 15-70-101; 16-1-404; 16-1-410; 16-1-411; 17-3-212; 17-5-404; 17-5-424; 17-5-804; 19-8-504; 19-9-702; 19-9-1007; 19-10-205; 19-10-305; 19-10-506; 19-11-512; 19-11-513; 19-11-606; 19-12-301; 19-13-604; 20-4-109; 20-6-406; 20-8-111; 23-5-610; 23-5-1027; 33-31-212; 33-31-401; 37-51-501; 39-71-2504; 53-6-150; 53-24-206; 67-3-205; 75-1-1101; 75-7-305; 76-12-123; 80-2-103; 80-2-228; 82-11-136; 90-3-301; 90-3-302; 90-3-412; 90-4-215; [section 10]; 90-9-306; 90-15-103; section 13, House Bill No. 861, Laws of 1985; and section 1, Chapter 454, Laws of 1987.

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for such payments. (In subsection (3): pursuant to sec. 15, Ch. 607, L. 1987, the inclusion of 15-65-121 terminates June 30, 1989; pursuant to sec. 10, Ch. 664, L. 1987, the inclusion of 39-71-2504 terminates June 30, 1991; and pursuant to sec. 6, Ch. 454, L. 1987, the inclusion of sec. 1, Ch. 454, L. 1987, terminates July 1, 1988.)"

Section 14. Section 90-6-305, MCA, is amended to read:

"90-6-305. Hard-rock mining impact board — general powers.

(1) The board may:

(a) retain professional staff, consultants, and advisors notwithstanding the provisions of 2-15-121;

(b) adopt rules governing its proceedings, determinations, and administration of this part;

(c) award grants to local government units subject to 90-6-306;

~~(d) award grants or loans to local government units from money paid into the hard-rock mining impact trust account subject to the provisions of 90-6-321 and 90-6-322;~~

~~(e) make payments to local government units from money paid to the hard-rock mining impact account as provided in 90-6-307;~~

~~(f)~~(d) make determinations as provided in 90-6-307, ~~90-6-321, and 90-6-322;~~ and

~~(g)~~(e) accept grants and other funds to be used in carrying out this part.

(2) The provisions of the Montana Administrative Procedure Act apply to the proceedings and determinations of the board."

Section 15. Section 90-6-306, MCA, is amended to read:

"90-6-306. Basis for awarding grants. Grants, ~~including those from the hard-rock mining impact trust account,~~ shall be awarded to local government units on the basis of:

(1) need;

(2) severity of impact from mineral development;

(3) availability of funds; and

(4) extent of local effort in meeting its needs.'"

Renumber: subsequent sections

23. Page 17, lines 20, 22, and 23, and page 18, lines 7, 8, 9, 12, 21, and 22.

Strike: "MINE DEVELOPMENT"

Insert: "metal mines tax" or "Metal mines tax" as appropriate

24. Page 19, lines 3 and 5.

Strike: "9"

Insert: "11"

25. Page 19, line 6.

Strike: "[Section 11] IS"

Insert: "[Sections 9 and 16] are"

26. Page 19, line 8.

Strike: "SECTION 11"

Insert: "[sections 9 and 16]"

27. Page 19, lines 9 and 11.

Strike: "12"

Insert: "17"

28. Page 19.

Following: line 11

Insert: "(4) [Section 10] is intended to be codified as an integral part of Title 90, chapter 6, part 3, and the provisions of Title 90, chapter 6, part 3, apply to [section 10]."

NEW SECTION. Section 20. Repealer. Sections 90-6-321 and 90-6-322, MCA, are repealed."

Renumber: subsequent sections

And, as amended, be concurred in. Report adopted.

SB 458, third reading copy, be amended as follows:

1. Title, line 12.

Following: "~~17-7-502,~~"

Insert: "17-7-502,"

2. Page 1, line 23.

Strike: "of 10%"

3. Page 1, line 24.

Following: "taxes"

Insert: "paid by banks and savings and loan associations"

4. Page 2, line 5.

Strike: "The"

Insert: "After allowing for all refunds, the"

5. Page 2, line 7.

Following: "~~17-7-502,~~"

Insert: "statutorily appropriated, as provided in 17-7-502,"

6. Page 2, line 8.

Following: "treasurer"

Insert: "as follows:

(a) 80%"

7. Page 2, line 9.

Following: "that"

Insert: "the amount of corporation license and income taxes paid by banks and savings and loan associations in"

8. Page 2, line 10.

Following: "respective"

Strike: "county's population"

Insert: "county"

Following: "total"

Strike: "population"

Insert: "amount of all corporation license and income taxes paid by banks and savings and loan associations"

9. Page 2, line 11.

Following: "state"

Insert: " , and

(b) 20% to be distributed as corporation license and income taxes are distributed under 15-1-501(3)"

10. Page 2, lines 14 through 17.

Strike: subsection (3) in its entirety

11. Page 5, line 4.

Strike: "All"

Insert: "Except as provided in subsection (4), all"

12. Page 5, line 8.

Strike: "57.6%"

Insert: "64%"

13. Page 5, line 9.

Strike: "9.9%"

Insert: "11%"

14. Page 5, line 11.

Following: "and"

Insert: "and"

15. Page 5, line 12.

Strike: "22.5%"

Insert: "25%"

16. Page 5, line 14.

Strike: "and"

Insert: "and"

17. Page 5, line 15.

Strike: "(d) 10%"

Insert: "(4) All money received from the collection of corporation license and income taxes under chapter 31 of this title from banks and savings and loan associations must be deposited"

18. Page 6, line 5.

Strike: "9.9%"

Insert: "11%"

19. Page 9.

Following: line 3

Insert: "Section 6. Section 17-7-502, MCA, is amended to read:

"17-7-502. Statutory appropriations — definition — requisites for validity. (1) A statutory appropriation is an appropriation made by permanent law that authorizes spending by a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations: 2-9-202; 2-17-105; 2-18-812; [section 2]; 10-3-203; 10-3-312; 10-3-314; 10-4-301; 13-37-304; 15-25-123; 15-31-702; 15-36-112; 15-65-121; 15-70-101; 16-1-404; 16-1-410; 16-1-411; 17-3-212; 17-5-404; 17-5-424; 17-5-804; 19-8-504; 19-9-702; 19-9-1007; 19-10-205; 19-10-305; 19-10-506; 19-11-512; 19-11-513; 19-11-606; 19-12-301; 19-13-604; 20-4-109; 20-6-406; 20-8-111; 23-5-610; 23-5-1027; 33-31-212; 33-31-401; 37-51-501; 39-71-2504; 53-6-150; 53-24-206; 67-3-205; 75-1-1101; 75-7-305; 76-12-123; 80-2-103; 80-2-228; 82-11-136; 90-3-301; 90-3-302; 90-3-412; 90-4-215; 90-9-306; 90-15-103; section 13, House Bill No. 861, Laws of 1985; and section 1, Chapter 454, Laws of 1987.

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes,

or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for such payments. (In subsection (3): pursuant to sec. 15, Ch. 607, L. 1987, the inclusion of 15-65-121 terminates June 30, 1989; pursuant to sec. 10, Ch. 664, L. 1987, the inclusion of 39-71-2504 terminates June 30, 1991; and pursuant to sec. 6, Ch. 454, L. 1987, the inclusion of sec. 1, Ch. 454, L. 1987, terminates July 1, 1988.)”

Renumber: subsequent sections

20. Page 9, line 24.

Strike: “22.5%”

Insert: “25%”

And, as amended, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

House bill concurred in as amended and returned to the House for concurrence in Senate amendments: 4/8/89

HB 100, introduced by Bardanouve

House bill indefinitely postponed and returned to the House: 4/8/89

HB 730, introduced by Spaeth

MESSAGES FROM THE GOVERNOR

John Vincent
Speaker of the House
Montana House of Representatives
State Capitol
Helena, Montana 59620

April 10, 1989

Dear Representative Vincent:

Please be informed that I have signed House Bills 84, 207, 289, 340, 355, 393, 396, 411, 466, 478, 524, 591, 605, 610, 642, 677, 678, and 685 on April 3, 1989.

Sincerely,

STAN STEPHENS
Governor

John Vincent
Speaker of the House
Montana House of Representatives
State Capitol
Helena, Montana 59620

April 10, 1989

Dear Representative Vincent:

Please be informed that I have signed House Bills 87, 166, 422, 425, 495, 544, 561, 593, 645, 651, 668, 691, and 750 on April 8, 1989.

Sincerely,

STAN STEPHENS

Governor

**FIRST READING AND COMMITMENT
OF BILLS AND RESOLUTIONS**

The following House bill was introduced, read first time, and referred to committee:

HJR 45, introduced by Wallin, Gould, Gilbert, Simpkins, Rehberg, Knapp, Peterson, Johnson, Cody, L. Nelson, Kimberley, Stickney, Addy, Wyatt, Squires, Cocchiarella, Hansen, McDonough, Clark, Kasten, Guthrie, Pavlovich, T. Nelson, Spring, Hayne, Steppler, Bachini, Campbell, Zook, Phillips, Abrams, DeBruyker, McCormick, Peck, Bardanouve, Simon, Swift, Lee, Marks, Thoft, Glaser, Aafedt, Eudaily, referred to Committee on Highways and Transportation

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Marks in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 420 - Representative Koehnke moved Senate amendments to HB 420 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: Cohen, Owens.
Total 2

Excused: Moore, L. Nelson, Patterson.
Total 3

Absent or not voting: Clark, Peterson.
Total 2

HB 463 - Representative Thoft moved Senate amendments to HB 463 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough,

Menahan, Mercer, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Moore, L. Nelson, Patterson.

Total 3

Absent or not voting: Clark.

Total 1

HB 32 - Representative Daily moved the conference committee report on HB 32 be adopted. Motion carried as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, D. Brown, J. Brown, Campbell, Clark, Cobb, Cody, Compton, Connelly, Daily, Darko, DeBruycker, DeMars, Driscoll, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, Menahan, Mercer, R. Nelson, T. Nelson, O'Connell, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stepler, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Zook.

Total 79

Noes: Addy, Bradley, Brooke, Cocchiarella, Cohen, Davis, Elliott, Harper, Kadas, McDonough, Nisbet, O'Keefe, Spaeth, Stang, Stickney, Wyatt, Mr. Speaker.

Total 17

Excused: Moore, L. Nelson, Patterson.

Total 3

Absent or not voting: Ream.

Total 1

HB 159 - Representative R. Nelson moved the conference committee report on HB 159 be adopted. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Moore, L. Nelson, Patterson.
Total 3

Absent or not voting: Blotkamp, Roth.
Total 2

HB 700 - Representative Pavlovich moved the conference committee report on HB 700 be adopted. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: Moore, L. Nelson, Patterson.
Total 3

Absent or not voting: None.
Total 0

SB 330 - Representative Thomas moved the conference committee report on SB 330 be adopted. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Cocchiarella, DeBruycker.
Total 2

Excused: Moore, L. Nelson, Patterson.
Total 3

Absent or not voting: Gervais, Guthrie, Stang.
Total 3

SB 333 - Representative Mercer moved the conference committee report on SB 333 be adopted. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Wallin.

Total 1

Excused: Moore, L. Nelson, Patterson.

Total 3

Absent or not voting: None.

Total 0

SB 363 - Representative Mercer moved the conference committee report on SB 363 be adopted. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Boharski, Cobb, Giacometto, Grinde, Hannah, Kasten, Thomas.

Total 7

Excused: Moore, L. Nelson, Patterson.

Total 3

Absent or not voting: None.

Total 0

SB 241 - Representative Spaeth moved SB 241 be concurred in.

Representative DeBruycker made a substitute motion to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative Patterson present at this time.

Representative DeBruycker moved SB 241, third reading copy, be amended as follows:

Amend the House State Administration Committee report of April 6, 1989 (green sheet) as follows:

1. In Insert to No. 4.

Following: "(2)"

Insert: "Pending review and approval by the 52nd legislature,"

Amendment passed as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, Campbell, Clark, Cobb, Cody, Compton, Connelly, Darko, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grinde, Guthrie, Hannah, Hanson, Harrington, Hayne, Hoffman, Iverson, Kasten, Keller, Knapp, Koehnke, Lee, R. Nelson, T. Nelson, Owens, Patterson, Peck, Peterson, Phillips, Raney, Rehberg, Rice, Roth, Simon, Simpkins, Smith, Spring, Stang, Stepler, Swift, Swysgood, Thoft, Westlake, Zook.
Total 57

Noes: Addy, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Daily, Davis, Gervais, Good, Grady, Hansen, Harper, Johnson, Kadas, Kilpatrick, Kimberley, Marks, McCormick, McDonough, Menahan, Mercer, Nisbet, O'Connell, O'Keefe, Pavlovich, Quilici, Ramirez, Ream, Russell, Schye, Spaeth, Squires, Stickney, Strizich, Thomas, Wallin, Whalen, Wyatt, Mr. Speaker.
Total 41

Excused: Moore, L. Nelson.
Total 2

Absent or not voting: None.
Total 0

Thereupon, SB 241, as amended, was concurred in as follows:

Ayes: Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.
Total 84

Noes: Aafedt, Bardanouve, Campbell, DeBruycker, Driscoll, Giacometto, Guthrie, Hannah, Hanson, Knapp, Owens, Patterson, Stang, Westlake.
Total 14

Excused: Moore, L. Nelson.
Total 2

Absent or not voting: None.
Total 0

SB 302 - Representative Vincent moved SB 302 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp,

Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: DeBruycker.
Total 1

Excused: Moore, L. Nelson.
Total 2

Absent or not voting: Elliott.
Total 1

SB 341 - Representative Peck moved SB 341, third reading copy, be amended as follows:

And, such amendments to the House Committee on Taxation amendments, dated April 7, 1989, read as follows:

1. Strike: amendment number 3 in its entirety

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: Cohen, Kadas, Stang.
Total 3

Excused: Moore, L. Nelson.
Total 2

Absent or not voting: D. Brown, Elliott.
Total 2

Representative Grinde excused at this time.

Representative Moore present at this time.

Representative Harrington moved SB 341, as amended, be concurred in.

Representative Ream made a substitute motion to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative Aafedt excused at this time.

Representative Ream moved SB 341, third reading copy, be amended.
Amendment failed. (40-55)

Representative Grinde present at this time.

Thereupon, SB 341, as amended, was concurred in as follows:

Ayes: Addy, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Compton, Connelly, Daily, Darko, DeBruycker, Driscoll, Ellison, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Kasten, Keller, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, R. Nelson, T. Nelson, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Stepler, Swift, Wallin, Westlake, Whalen, Wyatt, Zook.

Total 73

Noes: Bachini, Bardanouve, Cody, Cohen, Davis, DeMars, Elliott, Eudaily, Hannah, Johnson, Kadas, Kilpatrick, Kimberley, Lee, Nisbet, Peck, Raney, Russell, Spaeth, Stickney, Strizich, Swysgood, Thoft, Thomas, Mr. Speaker.

Total 25

Excused: Aafedt, L. Nelson.

Total 2

Absent or not voting: None.

Total 0

SB 379 - Representative Giacometto moved SB 379 be concurred in.
Motion carried as follows:

Ayes: Addy, Bachini, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: Bardanouve, Brooke, Elliott, Harper, O'Keefe, Peck, Raney.

Total 7

Excused: Aafedt, L. Nelson.

Total 2

Absent or not voting: Ellison, Hannah.

Total 2

Abstained: Cohen.

HR 2 - Representative Vincent moved HR 2 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould,

Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Aafedt, L. Nelson.

Total 2

Absent or not voting: Lee, Owens.

Total 2

HJR 37 - Representative Menahan moved HJR 37 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Aafedt, L. Nelson.

Total 2

Absent or not voting: Kadas.

Total 1

HJR 43 - Representative Stepler moved HJR 43 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough, Menahan, Mercer, Moore, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Schye, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney,

Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Boharski, Gilbert, Kasten, Lee, Marks, Roth, Simon.

Total 7

Excused: Aafedt, L. Nelson.

Total 2

Absent or not voting: Grady.

Total 1

SJR 18 - Representative Zook moved SJR 18 be concurred in. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Aafedt, L. Nelson.

Total 2

Absent or not voting: None.

Total 0

Representative Harper moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Marks moved the adoption of the committee report. Report adopted. (96-2)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 203 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hansen, Harper, Hoffman, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Koehnke, McCormick, McDonough, Moore, L. Nelson, R. Nelson, T. Nelson, O'Connell, Owens, Pavlovich, Peck, Peterson, Quilici, Ramirez, Rice, Russell, Simpkins, Smith, Spring, Squires, Stickney, Swift, Thomas, Wallin, Westlake, Zook.

Total 62

Noes: Boharski, Campbell, Cobb, Daily, Darko, DeBruycker, Giacometto, Grady, Hannah, Hanson, Harrington, Hayne, Iverson, Kasten, Knapp, Lee, Marks, Menahan, Mercer, Nisbet, O'Keefe, Patterson, Phillips, Raney, Ream, Rehberg, Roth, Schye, Simon, Spaeth, Stang, Steppler, Strizich, Swysgood, Thoft, Whalen, Wyatt, Mr. Speaker.

Total 38

Paired: Aafedt, L. Nelson, Ayes; Giacometto, Harrington, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 270 concurred in as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Aafedt, L. Nelson.

Total 2

Absent or not voting: None.

Total 0

SB 446 concurred in as follows:

Ayes: Addy, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, DeMars, Driscoll, Elliott, Gervais, Giacometto, Good, Grady, Hansen, Harper, Harrington, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Marks, McCormick, McDonough, Menahan, Moore, T. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Quilici, Raney, Ream, Rice, Roth, Russell, Schye, Simpkins, Smith, Spaeth, Stickney, Strizich, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 54

Noes: Aafedt, Bachini, Boharski, Campbell, Clark, Cobb, Compton, Davis, DeBruycker, Ellison, Eudaily, Gilbert, Glaser, Gould, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Kasten, Keller, Koehnke, Lee, Mercer, R. Nelson, Patterson, Peck, Peterson, Phillips, Ramirez, Rehberg, Simon, Spring, Stang, Steppler, Swift, Swysgood, Thomas, Wallin, Zook.

Total 41

Paired: Russell, Aye; Aafedt, No.

Excused: L. Nelson.

Total 1

Absent or not voting: Iverson, Owens, Squires, Thoft.

Total 4

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

4/10/89

Correctly enrolled: HB 373, HB 607.

Examined by the sponsors and found to be correct:

HB 373 - Hannah

HB 607 - Hannah

Signed by the Speaker at 2:45 p.m., 4/10/89: HB 373, HB 607.

REPORTS OF SELECT COMMITTEES

Conference Committee

on House Bill 165

Report No. 1, April 6, 1989

Mr. President and Mr. Speaker:

We, your Conference Committee on House Bill 165 met and considered:

House Bill 165 (third reading — blue copy) and the Senate amendments attached to it (pink sheet).

We recommend House Bill 165 (reference copy — salmon) be amended as follows:

1. Accept the Senate amendments in their entirety.

And this Conference Committee report be adopted.

For the Senate:

For the House:

Gage, Chairman

Stang

Harp

Bachini

Weeding

Ellison

Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:

4/10/89

HB 125, introduced by Harrington

HB 390, introduced by Spaeth

HB 554, introduced by Addy

HB 555, introduced by Bardanouve

HB 563, introduced by Spaeth

HB 588, introduced by Menahan

HB 742, introduced by Bradley

House bills concurred in as amended and returned to the House for concurrence in Senate amendments:

4/10/89

HB 26, introduced by Peck

HB 304, introduced by Hannah

HB 452, introduced by Cody

HB 543, introduced by Connelly

HB 567, introduced by Harrington

HB 583, introduced by Bardanouve

HB 618, introduced by Schye

HB 619, introduced by Bardanouve**HB 690**, introduced by Spaeth**HB 754**, introduced by Harper**HB 774**, introduced by DeBruycker

House amendments to Senate bills concurred in:

4/10/89

SB 100, introduced by Aklestad**SB 101**, introduced by Aklestad**SB 342**, introduced by Hofman**SJR 13**, introduced by Meyer**SJR 14**, introduced by Hager

House bill indefinitely postponed and returned to the House:

4/10/89

HB 240, introduced by Vincent**MESSAGES FROM THE GOVERNOR**

The Honorable John Vincent
 Speaker of the House
 State Capitol
 Helena, Montana 59620

April 7, 1989

The Honorable Jack Galt
 President of the Senate
 State Capitol
 Helena, Montana 59620

Dear Representative Vincent and Senator Galt:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby make the amendatory veto to House Bill 595, "AN ACT REQUIRING THE DEPARTMENT OF HIGHWAYS TO ERECT AND THE MONTANA HISTORICAL SOCIETY TO FUND AND DESIGN INDIAN HISTORICAL MARKERS ALONG PRIMARY AND INTERSTATE HIGHWAYS; ~~AND REQUIRING THE DEPARTMENT HISTORICAL SOCIETY TO CONSULT WITH INDIAN TRIBAL GOVERNMENTS IN MONTANA TO ON THE DESIGN AND GENERAL LOCATION OF THE MARKERS AND DESIGNATE THE LOCATIONS; AND PROVIDING A TERMINATION DATE.~~" This amendatory veto is made for the following reasons.

House Bill 595 as presented creates a problem for the Department of Highways in its responsibility to erect a proposed sign in an appropriate location. The bill is not sufficiently clear as to who has ultimate decision-making on the location of the sign. Serious highway tort liability and expense may result regarding the location of highway signs.

Also the fiscal note indicates that we assume the historical marker will be placed where there are existing road turnouts. If a road turnout does not exist, it is projected that an additional \$13,000-\$20,000 will be spent per turnout to properly construct and place the sign.

My amendment will clearly leave the final decision of the exact location of highway signs with the Department of Highways. This is a consistent and necessary requirement.

It appears that the language "The Department shall determine the exact location of each marker" was incorrectly deleted through the legislative process. Whether the language was inadvertently deleted, I consider it necessary.

I urge your concurrence in this amendment.

Governor's Amendment to HB 595

1. Page 2, line 6.

Following: "for the markers."

Insert: "The department shall determine the exact location of each marker."

Sincerely,

STAN STEPHENS
Governor

MOTIONS

Representatives Lee moved the rules be suspended to permit the late drafting of a bill. Motion carried.

Representative Spring moved he be allowed to change his vote on SB 446, third reading, from yes to no. Motion carried.

Representative Bardanouve moved the rules be suspended to permit the late drafting of a bill. Motion failed. (45-50)

Representative Harper moved the rules be suspended to allow for transmittal from the Senate to the House of the following bills after the 80th legislative day: HB 325, HB 354, HB 663, HB 765, HB 774, and HB 782. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved the House adjourn until 1:30 p.m., Tuesday, April 11, 1989.

Motion carried.

House adjourned at 4:05 p.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

EIGHTY-FIRST LEGISLATIVE DAY

Helena, Montana
April 11, 1989

House Chambers
State Capitol

House convened at 1:30 p.m., Mr. Speaker in the Chair. Invocation by Representative Good. Pledge of Allegiance to the Flag.

Roll call. All members present except Bradley and Compton, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 4/11/89

Correctly printed: HJR 40.

Correctly engrossed: HJR 37, HJR 43, SB 241, SB 341, SB 379.

Signed by the Speaker at 5:30 p.m., 4/10/89: SB 357, SB 461.

Delivered to the Governor for his approval at 10:49 a.m.,
4/11/89: HB 373, HB 607.

EDUCATION AND CULTURAL RESOURCES (Schye, Chairman):

4/11/89

HB 795, introduced bill, be amended as follows:

1. Page 1, line 24.

Strike: "or"

2. Page 1, line 25.

Following: "(b)"

Insert: "a community college district as defined in 20-15-101; or
(c)"

And, as amended, do pass. Report adopted.

HJR 39, do pass. Report adopted.

SB 470, be concurred in. Report adopted.

TAXATION (Harrington, Chairman):

4/10/89

SB 368, be concurred in. Report adopted.

Adverse Committee Report

SB 463, be not concurred in.

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on House Bill 57

Report No. 1, April 7, 1989

Mr. President and Mr. Speaker:

We, your Free Conference Committee on House Bill 57, considered and recommend HB 57 (reference copy — salmon) be amended as follows:

1. Title, line 8.

Following: "OFFICES,"

Insert: "EXCEPT CERTAIN HOSPITAL EMERGENCY ROOMS
AND"

2. Title, lines 14 and 15.

Following: line 13

Strike: line 14 through "SITUATIONS;" on line 15

3. Page 1, line 24.

Strike: "obstetrical"
Insert: "emergency"

4. Page 2, line 8.

Strike: "NONOBSTETRICAL"

5. Page 2, line 9.

Following: "office"

Insert: "— exceptions"

Following: "(1)"

Strike: "(a)"

6. Page 2, line 10.

Strike: "[SECTION 2] AND"

Following: "subsection"

Strike: "(1)(b) OF THIS SECTION"

Insert: "(2)"

7. Page 2, line 13.

Following: "is"

Strike: "not"

8. Page 2, line 14.

Strike: "rendering the"

Insert: "providing such"

9. Page 2, line 15.

Following: "assistance"

Insert: "only to the extent that those damages are caused by gross negligence or by willful acts or omissions"

10. Page 2.

Following: line 15

Insert: "(2) (a) The provisions of subsection (1) do not apply to a health care provider in a situation in which emergency care is provided in a hospital emergency room by a physician who provides emergency room services in the hospital on a full-time basis."

Renumber: subsequent sections

11. Page 2, line 16.

Following: "(b)"

Strike: "A"

Insert: "When emergency care is provided in a hospital emergency room by a physician who provides emergency room services in the hospital on a full-time basis, a"

12. Page 2, lines 23 through 25.

Following: "LOCALITY" on line 23

Strike: the remainder of line 23 through "ASSISTANCE" on line 25

Insert: "an act or omission that fails to meet the degree of care and skill ordinarily exercised by reputable members of the health care provider's profession, occupation, or association in a like case under a similar emergency situation in the same or a similar locality"

13. Page 3, line 1.

Strike: "this section"

Insert: "subsection (1)"

14. Page 3, lines 3 and 4.

Following: "situation" on line 3

Strike: the remainder of line 3 through first "office" on line 4

15. Page 3, lines 4 through 9.

Following: "situation" on line 4

Strike: the remainder of line 4 through "and" on line 9

16. Page 3, line 15.

Strike: "BUT"

Insert: "and"

17. Page 3, line 18.

Strike: "OF WHICH"

Insert: "that"

Following: "PATIENT"

Strike: "IS AWARE"

Insert: "knew or should have known required treatment"

18. Page 3, line 21 through page 4, line 12.

Strike: subsection (b) in its entirety

Renumber: subsequent subsections

19. Page 4, line 24 through page 6, line 14.

Strike: section 2 in its entirety

Renumber: subsequent sections

20. Page 6, line 16.

Following: "section"

Strike: "SECTIONS"

Insert: "section"

21. Page 6, line 17.

Strike: "AND 2"

22. Page 6, line 25.

Strike: "THROUGH 3"

Insert: "and 2"

23. Page 7, line 3.

Strike: "THROUGH 3"

Insert: "and 2"

And this Free Conference Committee report be adopted.

For the Senate:

Beck, Chairman

Harp

Norman

For the House:

Stickney

Addy

Marks

Report adopted.

Conference Committee

on Senate Bill 95

Report No. 1, April 6, 1989

Mr. President and Mr. Speaker:

We, your Conference Committee on Senate Bill 95 met and considered:

The House Committee on Appropriations amendments to the third reading copy dated March 18, 1989.

We recommend that House Committee on Appropriations amendment be rejected and that SB 95 (reference copy — salmon) be amended as follows:

1. Page 2, line 1.

Strike: "\$27"

Insert: "\$30"

And this Conference Committee Report be adopted.

For the Senate:

Rasmussen, Chairman
Aklestad
Boylan

For the House:

Cocchiarella
Wallin
O'Keefe

Report adopted.

MESSAGES FROM THE SENATE

House bill indefinitely postponed and returned to the House: 4/10/89

HB 163, introduced by Campbell

MESSAGES FROM THE GOVERNOR

John Vincent
Speaker of the House
Montana House of Representatives
State Capitol
Helena, Montana 59620

April 10, 1989

Dear Representative Vincent:

Please be informed that I have signed House Bills 204, 258, and 437 on April 10, 1989.

Sincerely,

STAN STEPHENS
Governor

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, Montana 59620

April 10, 1989

The Honorable Jack Galt
President of the Senate
State Capitol
Helena, Montana 59620

Dear Representative Vincent and Senator Galt:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby veto the adoption of House Bill 616, "AN ACT TO ALLOW THE BOARD OF HAIL INSURANCE TO INCREASE THE AMOUNT OF COVERAGE FOR CROPS INSURED UNDER THE STATE HAIL INSURANCE PROGRAM; AMENDING SECTIONS 80-2-208 AND 80-2-244, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE." for the following reasons.

House Bill 616 has been controversial during the course of legislative hearings. The bill raises the limits on hail insurance sold by the State Hail Board from \$24 per acre to \$28 per acre on dryland farms and from \$48 per acre to \$52 per acre on irrigated lands.

The State Hail Board is an example of government competing in the private market. The state hail program has grown from a 12% share of the

total market in 1976 to over 32% of the market share in 1988. During this time, eight private insurance companies have left our state because they cannot compete with government. To further the government's insurance market, we will continue to see insurance companies exiting our state. Information provided to me indicates that there are 22 private companies employing over 600 independent agents in Montana's rural communities. Increased government will mean less agents, less private market employment, and further erosion of our tax base.

The less free market insurance companies, the greater the reliance on government insurance. This trend cannot continue.

By vetoing this bill, the State Hail Board and our government's continued participation in providing insurance of this nature will continue and will be available to Montana farmers. It will also assure the continued availability of hail crop insurance from the private insurance companies as well.

Sincerely,

STAN STEPHENS
Governor

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 793, introduced by Lee, Van Valkenburg, Spaeth, Addy, Mercer, referred to Committee on Judiciary

HJR 46, introduced by Thomas, Vincent, referred to Committee on State Administration

HJR 47, introduced by Gilbert, referred to Committee on State Administration

HJR 48, introduced by Cody, Rasmussen, Whalen, Boharski, Gould, Hansen, J. Brown, Lee, Knapp, Strizich, McCormick, Russell, T. Nelson, Squires, Blotkamp, Good, Stickney, Simon, referred to Committee on Human Services and Aging

MOTIONS

Representative Lee moved the rules be suspended to permit the late introduction of a bill. Motion carried.

Representative Strizich moved consideration of SB 431 be passed for the day. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Pavlovich in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Representative Bradley present at this time.

HB 26 - Representative Peck moved Senate amendments to HB 26 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook.

Total 88

Noes: Bradley, Campbell, Connelly, Daily, Glaser, Kasten, Lee, Ream, Spaeth, Mr. Speaker.

Total 10

Excused: Compton.

Total 1

Absent or not voting: Knapp.

Total 1

HB 60 - Representative Harrington moved Senate amendments to HB 60 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Clark, Davis.

Total 2

Excused: Compton.

Total 1

Absent or not voting: Kadas, Knapp.

Total 2

HB 100 - Representative Bardanouve moved Senate amendments to HB 100 be not concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson,

Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Boharski, Cocchiarella, Ellison.

Total 3

Excused: Compton.

Total 1

Absent or not voting: Cobb, Grinde.

Total 2

HB 304 - Representative Hannah moved Senate amendments to HB 304 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough, Menahan, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peterson, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stepler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 76

Noes: Bachini, Campbell, Clark, Cobb, DeBruycker, Good, Grinde, Guthrie, Hansen, Hanson, Kasten, Lee, Marks, Mercer, R. Nelson, Patterson, Peck, Phillips, Quilici, Stang, Swysgood.

Total 21

Excused: Compton.

Total 1

Absent or not voting: Harper, Roth.

Total 2

HB 452 - Representative Cody moved Senate amendments to HB 452 be not concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Compton.

Total 1

Absent or not voting: Kimberley.

Total 1

HB 543 - Representative Connelly moved Senate amendments to HB 543 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 86

Noes: Boharski, Campbell, Good, Hanson, Kasten, Lee, Owens, Patterson, Peck, Simpkins, Steppler.

Total 11

Excused: Compton.

Total 1

Absent or not voting: Phillips, Schye.

Total 2

HB 567 - Representative Harrington moved Senate amendments to HB 567 be concurred in.

Representative Harrington made a substitute motion Senate amendments to HB 567 be not concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: Owens.

Total 1

Excused: Compton.

Total 1

Absent or not voting: None.

Total 0

HB 583 - Representative Bardanouve moved Senate amendments to HB 583 be not concurred in.

Representative Spaeth made a substitute motion Senate amendments to HB 583 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Boharski, Bradley, J. Brown, Clark, Cocchiarella, Cohen, Connelly, Davis, DeBruycker, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Grinde, Hanson, Harrington, Hayne, Hoffman, Johnson, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McDonough, Mercer, L. Nelson, R. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simpkins, Smith, Spaeth, Spring, Squires, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Whalen, Zook, Mr. Speaker.

Total 65

Noes: Bachini, Bardanouve, Blotkamp, Brooke, D. Brown, Campbell, Cobb, Cody, Daily, Darko, DeMars, Driscoll, Elliott, Gilbert, Guthrie, Hannah, Hansen, Harper, Iverson, Kadas, Kasten, Koehnke, McCormick, Menahan, Moore, T. Nelson, Peck, Schye, Simon, Stepler, Thomas, Westlake, Wyatt.

Total 33

Excused: Compton.

Total 1

Absent or not voting: Stang.

Total 1

HB 618 - Representative Schye moved Senate amendments to HB 618 be not concurred in. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Hansen, Harper, Harrington, Johnson, Kadas, Kilpatrick, Kimberley, Koehnke, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, Rice, Russell, Schye, Simon, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 57

Noes: Aafedt, Campbell, Clark, DeBruycker, Ellison, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Iverson, Kasten, Keller, Knapp, Lee, Marks, R. Nelson, T. Nelson, Owens, Patterson, Peterson, Phillips, Ramirez, Rehberg, Roth, Simpkins, Smith, Spring, Swift, Swysgood, Thoft, Thomas, Wallin, Zook.

Total 41

Excused: Compton.

Total 1

Absent or not voting: Cohen.

Total 1

HB 619 - Representative Bardanouve moved Senate amendments to HB 619 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily,

Gervais, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rice, Russell, Schye, Simon, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 82

Noes: Campbell, Clark, Giacometto, Hannah, Kasten, Lee, Marks, Owens, Ramirez, Rehberg, Roth, Simpkins, Smith, Spring, Zook.

Total 15

Excused: Compton.

Total 1

Absent or not voting: Ellison, Grinde.

Total 2

HB 690 - Representative Spaeth moved Senate amendments to HB 690 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Brooke, Raney, Stang, Stepler.

Total 4

Excused: Compton.

Total 1

Absent or not voting: Cohen, Gervais, Kadas, Keller.

Total 4

HB 754 - Representative Harper moved Senate amendments to HB 754 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bardanouve, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stepler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Bachini, Blotkamp, Clark, Good, Hayne, Koehnke, Phillips, Stang, Swysgood.

Total 9

Excused: Compton.

Total 1

Absent or not voting: None.

Total 0

HB 774 - Representative DeBruycker moved Senate amendments to HB 774 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Ellison, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Marks, McCormick, McDonough, Mercer, Moore, T. Nelson, O'Connell, O'Keefe, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stickney, Swift, Thomas, Wallin, Whalen, Zook, Mr. Speaker.

Total 75

Noes: Bardanouve, Cody, Driscoll, Elliott, Eudaily, Grinde, Hoffman, Koehnke, Lee, Menahan, L. Nelson, R. Nelson, Nisbet, Owens, Peck, Raney, Schye, Stang, Stepler, Strizich, Swysgood, Thoft, Wyatt.

Total 23

Excused: Compton.

Total 1

Absent or not voting: Westlake.

Total 1

HB 595 - Representative Russell moved the Governor's amendments to HB 595 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Compton.

Total 1

Absent or not voting: None.

Total 0

HB 165 - Representative Ellison moved the conference committee report on HB 165 be adopted. Motion carried as follows:

Ayes: Aafedt, Addy, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.
Total 95

Noes: Bachini, Clark.

Total 2

Excused: Compton.

Total 1

Absent or not voting: Grady, Wyatt.

Total 2

SB 410 - Representative D. Brown moved SB 410 be concurred in.

Representative D. Brown made a substitute motion to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative D. Brown moved SB 410, third reading copy, be amended as follows:

1. Amend House Committee on Taxation amendments dated April 10, 1989, as follows:

Amendment No. 5

In first insert, strike: "90-6-305,"

Following: "AND"

Insert: "90-6-304 THROUGH"

2. Amend House Committee on Taxation amendments dated April 10, 1989, as follows:

Amendment No. 15

In Insert, in (ii), following: "follows"

Insert: ", except that more than one entity may share an allocation if a jurisdictional revenue disparity is identified pursuant to subsection (2)"

3. Amend House Committee on Taxation amendments dated April 10, 1989, as follows:

Amendment No. 21

In Insert, subsection (3)(f)

Strike: "within the county"

4. Amend House Committee on Taxation amendments dated April 10, 1989, as follows:

Amendment No. 22

In Insert, following: section 13

Strike: section 14 (amended 90-6-305) in its entirety

Insert: "Section 14. Section 90-6-304, MCA, is amended to read:

"90-6-304. Accounts established. (1) There is within the state special revenue fund a hard-rock mining impact account. Moneys are payable into this account from payments made by a mining developer in compliance with the written guarantee from the developer to meet the increased costs of public services and facilities as specified in the impact plan provided for in 90-6-307. The state treasurer shall draw warrants from this account upon order of the hard-rock mining impact board.

(2) There is within the state special revenue fund a hard-rock mining impact trust account. Money is payable into this account under the provisions of 15-37-117. After deducting the administrative and operating expenses of the board as provided in 90-6-303, money must be segregated within the account by county of origin. The state treasurer shall draw warrants from this account upon order of the hard-rock mining impact board. If money available to pay administrative and operating expenses is insufficient, the board may apply for supplemental money from the general fund."

Section 15. Section 90-6-305, MCA, is amended to read:

"90-6-305. Hard-rock mining impact board — general powers.

(1) The board may:

(a) retain professional staff, consultants, and advisors notwithstanding the provisions of 2-15-121;

(b) adopt rules governing its proceedings, determinations, and administration of this part;

(c) award grants to local government units subject to 90-6-306;

~~(d) award grants or loans to local government units from money paid into the hard-rock mining impact trust account subject to the provisions of 90-6-321 and 90-6-322;~~

~~(e)~~(d) make payments to local government units from money paid to the hard-rock mining impact account as provided in 90-6-307;

~~(f)~~(e) make determinations as provided in 90-6-307, ~~90-6-321, and 90-6-322;~~ and

~~(g)~~(f) accept grants and other funds to be used in carrying out this part.

(2) The provisions of the Montana Administrative Procedure Act apply to the proceedings and determinations of the board."

Renumber: subsequent sections

5. Amend House Committee on Taxation amendments dated April 10, 1989, as follows:

Amendment No. 25

In Insert, strike: "16"

Insert: "17"

6. Amend House Committee on Taxation amendments dated April 10, 1989, as follows:

Amendment No. 26

In Insert, strike: "16"

Insert: "17"

7. Amend House Committee on Taxation amendments dated April 10, 1989, as follows:

Amendment No. 27:

In Insert, strike: "17"

Insert: "18"

8. Page 11.

Following: line 6

Insert: "(2) When an impact plan for a large-scale mineral development approved pursuant to 90-6-307 identifies a jurisdictional revenue disparity, the county shall distribute the proceeds allocated under subsection (1)(d) in a manner similar to that provided for property tax sharing under Title 90, chapter 6, part 4."

Renumber: subsequent subsection

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Keller, Peck.

Total 2

Excused: Compton.

Total 1

Absent or not voting: Grady.

Total 1

Thereupon, SB 410, as amended, was concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Compton.

Total 1

Absent or not voting: None.

Total 0

SB 458 - Representative Ream moved SB 458 be concurred in.

Representative Glaser made a substitute motion to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative Glaser moved SB 458, third reading copy, be amended as follows:

1. Page 3, lines 4 and 5.

Following: "JURISDICTION" on line 4

Strike: "LOCATED IN THE COUNTY, INCLUDING THE COUNTY,"

2. Page 3, lines 8 AND 9.

Following: "TOTAL MILL LEVY" on line 8

Strike: "OF ALL AUTHORIZED TAXING JURISDICTIONS"

3. Page 3, lines 9 and 10.

Following: "COUNTY" on line 9

Strike: ", INCLUDING THE COUNTY"

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: Stang.

Total 1

Excused: Compton.

Total 1

Absent or not voting: Gervais.

Total 1

Representative Blotkamp excused at this time.

Representative Cohen moved SB 458, third reading copy, be amended. Amendment failed. (37-61)

Representative Ream moved SB 458, third reading copy, be amended as follows:

1. Page 3, line 23 through page 4, line 1.

Strike: subsection (4) in its entirety

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Blotkamp, Compton.

Total 2

Absent or not voting: Bradley, Owens.

Total 2

Thereupon, SB 458, as amended, was concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Blotkamp, Compton.

Total 2

Absent or not voting: None.

Total 0

Representative Quilici moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Pavlovich moved the adoption of the committee report. Report adopted. (93-5)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 420, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: Cohen.
Total 1

Excused: Blotkamp, Compton.
Total 2

Absent or not voting: None.
Total 0

HB 463, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: Blotkamp, Compton.
Total 2

Absent or not voting: Peterson, Strizich.
Total 2

HB 32, conference committee report, adopted as follows:

Ayes: Aafedt, Bachini, Boharski, D. Brown, J. Brown, Campbell, Clark, Cobb, Cody, Connelly, Daily, Darko, DeBruycker, DeMars, Driscoll, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye,

Simon, Simpkins, Smith, Spring, Squires, Steppler, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Zook.
Total 80

Noes: Addy, Bardanouve, Bradley, Brooke, Cocchiarella, Cohen, Davis, Elliott, Harper, Kadas, R. Nelson, Nisbet, O'Keefe, Spaeth, Stang, Stickney, Wyatt, Mr. Speaker.
Total 18

Excused: Blotkamp, Compton.
Total 2

Absent or not voting: None.
Total 0

HB 159, conference committee report, adopted as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: Blotkamp, Compton.
Total 2

Absent or not voting: Ream.
Total 1

HB 700, conference committee report, adopted as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: R. Nelson.
Total 1

Excused: Blotkamp, Compton.
Total 2

Absent or not voting: Darko.

Total 1

SB 330, conference committee report, adopted as follows:

Ayes: Aafedt, Addy, Bachini, Bardanoue, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Blotkamp, Compton.

Total 2

Absent or not voting: Ellison.

Total 1

SB 333, conference committee report, adopted as follows:

Ayes: Aafedt, Addy, Bachini, Bardanoue, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Blotkamp, Compton.

Total 2

Absent or not voting: None.

Total 0

SB 363, conference committee report, adopted as follows:

Ayes: Aafedt, Addy, Bachini, Bardanoue, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten,

Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Cobb, Hannah.

Total 2

Excused: Blotkamp, Compton.

Total 2

Absent or not voting: DeBruycker, Giacometto.

Total 2

SB 241 concurred in as follows:

Ayes: Addy, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Elliott, Ellison, Eudaily, Gervais, Glaser, Good, Gould, Grady, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Squires, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 75

Noes: Aafedt, Bachini, Bardanouve, Campbell, Clark, DeBruycker, Driscoll, Giacometto, Gilbert, Grinde, Guthrie, Hannah, Hanson, Knapp, T. Nelson, Owens, Patterson, Peck, Peterson, Smith, Spring, Stang, Westlake.

Total 23

Excused: Blotkamp, Compton.

Total 2

Absent or not voting: None.

Total 0

SB 302 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: DeBruycker, Giacometto, Peterson.

Total 3

Excused: Blotkamp, Compton.
Total 2

Absent or not voting: Gervais.
Total 1

SB 341 concurred in as follows:

Ayes: Aafedt, Addy, Bardanouve, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Connelly, Daily, Darko, DeBruycker, Driscoll, Ellison, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hansen, Hanson, Harrington, Hayne, Hoffman, Iverson, Kasten, Keller, Kilpatrick, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Squires, Stang, Stepler, Stickney, Strizich, Swift, Wallin, Westlake, Whalen, Wyatt, Zook.
Total 75

Noes: Bachini, Cody, Cohen, Davis, DeMars, Elliott, Eudaily, Grinde, Hannah, Harper, Johnson, Kadas, Kimberley, Lee, Nisbet, Peck, Raney, Spaeth, Spring, Swysgood, Thoft, Thomas, Mr. Speaker.
Total 23

Excused: Blotkamp, Compton.
Total 2

Absent or not voting: None.
Total 0

SB 379 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: Bardanouve, Brooke, Elliott, Harper, Raney.
Total 5

Excused: Blotkamp, Compton.
Total 2

Absent or not voting: Cohen, Harrington, O'Connell.
Total 3

SJR 18 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady,

Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: Blotkamp, Compton.
Total 2

Absent or not voting: Peterson, Phillips.
Total 2

REPORTS OF STANDING COMMITTEES

JUDICIARY (D. Brown, Chairman):

4/11/89

HJR 38, introduced bill, be amended as follows:

1. Page 2, lines 6 and 8.
Following: "city"
Insert: "and municipal"

And, as amended, do pass. Report adopted.

HJR 41, introduced bill, be amended as follows:

1. Page 2, line 6.
Following: line 5
Insert: "WHEREAS, not all judges impose the sentences mandated by the DUI and per se laws; and"
2. Page 2, line 17.
Following: "accidents"
Insert: ", convictions, and fines"
3. Page 2, line 18.
Following: line 17
Insert: "(2) the effect that being forced by the federal government to raise the drinking age to 21 in 1987 has had on the DUI and per se rates and alcohol-related accident levels among drivers under 21 years of age;

(3) judicial compliance with the sentencing mandates in the DUI and per se laws, the extent to which the mandates are and are not complied with by judges, including available statistics on the matter, and the reasons for noncompliance;"
Renumber: subsequent subsections

And, as amended, do pass. Report adopted.

NATURAL RESOURCES (Raney, Chairman):

4/10/89

SJR 19, third reading copy, be amended as follows:

1. Title, line 8.
Following: "QUALITY"
Insert: "AND AIR QUALITY"

2. Page 1, line 14.

Strike: "and related liquid"

3. Page 1, line 16.

Following: "disposal,"

Insert: "waste incineration and incinerator emissions,"

4. Page 1, line 25.

Strike: "both"

Insert: "Montana has not applied"

5. Page 2, line 1.

Strike: "to" through "inadequate"

Insert: "necessary to ensure that solid waste management is compatible with the public health, safety, and welfare and the environment"

6. Page 2, line 5.

Strike: "no"

Insert: "few"

Strike: "or"

Insert: "and little"

7. Page 2.

Following: line 7

Insert: "WHEREAS, the burning of plastic and other materials in solid waste incinerators is a source of toxic air pollutants which, despite their adverse effects on human health and the environment, are poorly understood and little regulated by the state or federal government; and

WHEREAS, Montana statutes presently exempt from licensing certain privately owned landfills, and this exemption provides a significant gap in our ability to ensure that solid waste management adequately protects the public health, safety, and welfare and the environment; and"

8. Page 2, line 9.

Following: "minimization,"

Insert: "source separation,"

9. Page 2, line 13.

Strike: "and related liquid"

10. Page 2, line 22.

Strike: "and related liquid"

11. Page 2, line 24.

Strike: "investigation and oversight"

Insert: "review"

12. Page 3, line 7.

Strike: "monitoring of"

13. Page 3, line 9.

Following: "minimization,"

Insert: "source separation,"

14. Page 3, line 11.

Strike: "financing"

Following: "for"

Insert: "developing and financing"

Following: "cost-effective"

Insert: "and environmentally sound"

15. Page 3, line 12.

Following: "to"

Insert: "Montana's"

16. Page 3, line 13.

Strike: "and"

17. Page 3, line 15.

Following: "programs"

Insert: ";

(h) differences in the regulation of public and private landfills, including the effects on the public health, safety, and welfare and the environment of the existing exemption from licensing for certain landfills; and

(i) the effects of solid waste incineration on Montana air quality and public health"

18. Page 3, line 17.

Strike: "regulated"

19. Page 3, line 18.

Strike: "interested"

And, as amended, be concurred in. Report adopted.

TAXATION (Harrington, Chairman):

4/11/89

SB 468, third reading copy, be amended as follows:

1. Title, line 5.

Following: "~~TAXES~~,"

Insert: "TAXES,"

Following: "REVENUES;"

Insert: ","

2. Title, line 13.

Following: ","

Insert: "REPEALING THE EXISTING STATE INDIVIDUAL INCOME TAX AND IMPOSING A STATE INCOME TAX BASED ON A PERCENTAGE OF THE FEDERAL INCOME TAX PAYABLE ON MONTANA TAXABLE INCOME; EXEMPTING FROM TAXATION THE FIRST \$8,000 OF RETIREMENT BENEFITS RECEIVED UNDER PRIVATE, MONTANA, AND FEDERAL PUBLIC PENSIONS;"

3. Title, line 16.

Following: "SECTIONS"

Insert: "7-14-1133, 7-34-2416, 13-37-218, 13-37-303, 15-6-201, 15-30-101, 15-30-162, 15-30-241, 15-30-303, 15-30-323, 15-31-114, 15-31-202, 15-32-102, 15-32-104, 15-32-106, 15-32-303, 15-32-402, 15-32-405, 15-33-106,"

4. Title, line 19.

Following: "~~20-9-333~~,"

Strike: "AND"

Insert: "19-3-105, 19-4-706, 19-5-704, 19-6-705, 19-7-705, 19-8-805, 19-9-1005, 19-10-504, 19-11-612, 19-12-407, 19-13-1003, 19-21-212,"

Following: "20-9-343,"

Insert: "53-2-101, 53-6-111, 67-11-303, 90-4-503, AND 90-8-104, MCA; REPEALING SECTIONS 15-30-103, 15-30-105, 15-30-108, 15-30-110 THROUGH 15-30-117, 15-30-121 THROUGH 15-30-123, 15-30-125, 15-30-126, 15-30-131, 15-30-132, 15-30-135 THROUGH 15-30-137, 15-30-142, 15-30-143, 15-30-156, 15-30-157, 15-32-109, AND 15-32-201 THROUGH 15-32-203,"

5. Title, line 21.

Following: "AN"

Insert: "IMMEDIATE"

Following: "DATE"

Insert: "AND A RETROACTIVE APPLICABILITY DATE"

6. Page 5, line 2.

Following: line 1

Insert: "Section 1. Section 7-14-1133, MCA, is amended to read:

"7-14-1133. Bonds and obligations. (1) An authority may borrow money for any of its corporate purposes and issue bonds therefor, including refunding bonds, in such form and upon such terms as it determines, payable out of any revenues of the authority, including revenues derived from:

- (a) any port or transportation and storage facility;
- (b) taxes levied pursuant to 7-14-1131 or 67-10-402;
- (c) grants or contributions from the federal government; or
- (d) other sources.

(2) The bonds may be issued by resolution of the authority, without an election and without any limitation of amount, except that no bonds may be issued at any time if the total amount of principal and interest to become due in any year on such bonds and on any then outstanding bonds for which revenues from the same source are pledged exceeds the amount of such revenues to be received in that year, as estimated in the resolution authorizing the issuance of the bonds. The authority shall take all action necessary and possible to impose, maintain, and collect rates, charges, rentals, and taxes, if any are pledged, sufficient to make the revenues from the pledged source in such year at least equal to the amount of principal and interest due in that year.

(3) The bonds may be sold at public or private sale and may bear interest as provided in 17-5-102. Except as otherwise provided in this part, any bonds issued pursuant to this part by an authority may be payable as to principal and interest solely from revenues of the authority and shall state on their face the applicable limitations or restrictions regarding the source from which such principal and interest are payable.

(4) Bonds issued by an authority, county, or municipality pursuant to the provisions of this part are declared to be issued for an essential public and governmental purpose by a political subdivision, within the meaning of ~~15-30-111(2)(a)~~ [section 7(2)(e)].

(5) For the security of any such bonds, the authority, county, or municipality may by resolution make and enter into any covenant, agreement, or indenture and may exercise any additional powers authorized to be exercised by a municipality under Title 7, chapter

7, parts 44 and 45. The sums required from time to time to pay principal and interest and to create and maintain a reserve for the bonds may be paid from any revenues referred to in this part, prior to the payment of current costs of operation and maintenance of the facilities."

Section 2. Section 7-34-2416, MCA, is amended to read:

"7-34-2416. Tax-exempt status of bonds. Bonds issued by a county pursuant to the provisions of 7-34-2411 through 7-34-2418 are declared to be issued for an essential public and governmental purpose by a political subdivision, within the meaning of 15-30-111(2)(a) [section 7(2)(e)]."

Section 3. Section 13-37-218, MCA, is amended to read:

"13-37-218. Limitations on receipts from political committees. A candidate for the state senate may receive no more than \$1,000 in total combined monetary contributions from all political committees contributing to his campaign, and a candidate for the state house of representatives may receive no more than \$600 in total combined monetary contributions from all political committees contributing to his campaign. ~~The foregoing limitations shall be multiplied by the inflation factor as defined in 15-30-101(8) for the year in which general elections are held after 1984; the resulting figure shall be rounded off to the nearest \$50 increment. The commissioner of political practices shall publish the revised limitations as a rule.~~ In-kind contributions may not be included in ~~computing these~~ the limitation ~~totals~~. The limitation provided in this section does not apply to contributions made by a political party eligible for a primary election under 13-10-601."

Section 4. Section 13-37-303, MCA, is amended to read:

"13-37-303. Donation by taxpayer. (1) An individual whose withheld income tax or payment of estimated tax exceeds by more than \$1 his income tax liability for the taxable year may donate \$1 to be paid to the fund. In the case of a joint return, ~~as provided in 15-30-142,~~ of a husband and wife having an income tax overpayment as defined in 15-30-149 of \$2 or more, each spouse may donate \$1 to be paid to the fund.

(2) An individual with an unpaid tax liability may at the time of payment donate an extra \$1 to be paid to the fund.

(3) The department shall provide a place on the face of the blank form of return, provided for in 15-30-144, where an individual may make the donations provided for in subsections (1) and (2). The form shall adequately explain the individual's option to donate \$1 to the fund."

Section 5. Section 15-6-201, MCA, is amended to read:

"15-6-201. Exempt categories. (1) The following categories of property are exempt from taxation:

(a) the property of:

(i) the United States, the state, counties, cities, towns, school districts, except, if congress passes legislation that allows the state to tax property owned by an agency created by congress to transmit or

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distribute electrical energy, the property constructed, owned, or operated by a public agency created by the congress to transmit or distribute electric energy produced at privately owned generating facilities (not including rural electric cooperatives);

(ii) irrigation districts organized under the laws of Montana and not operating for profit;

(iii) municipal corporations; and

(iv) public libraries;

(b) buildings, with land they occupy and furnishings therein, owned by a church and used for actual religious worship or for residences of the clergy, together with adjacent land reasonably necessary for convenient use of such buildings;

(c) property used exclusively for agricultural and horticultural societies, for educational purposes, and for nonprofit health care facilities, as defined in 50-5-101, licensed by the department of health and environmental sciences and organized under Title 35, chapter 2 or 3. A health care facility that is not licensed by the department of health and environmental sciences and organized under Title 35, chapter 2 or 3, is not exempt.

(d) property that meets the following conditions:

(i) is owned and held by any association or corporation organized under Title 35, chapter 2, 3, 20, or 21;

(ii) is devoted exclusively to use in connection with a cemetery or cemeteries for which a permanent care and improvement fund has been established as provided for in Title 35, chapter 20, part 3; and

(iii) is not maintained and operated for private or corporate profit;

(e) institutions of purely public charity;

(f) evidence of debt secured by mortgages of record upon real or personal property in the state of Montana;

(g) public art galleries and public observatories not used or held for private or corporate profit;

(h) all household goods and furniture, including but not limited to clocks, musical instruments, sewing machines, and wearing apparel of members of the family, used by the owner for personal and domestic purposes or for furnishing or equipping the family residence;

(i) a truck canopy cover or topper weighing less than 300 pounds and having no accommodations attached. Such property is also exempt from taxation under 61-3-504(2) and 61-3-537.

(j) a bicycle, as defined in 61-1-123, used by the owner for personal transportation purposes;

(k) motor homes, travel trailers, and campers;

(l) all watercraft;

(m) land, fixtures, buildings, and improvements owned by a cooperative association or nonprofit corporation organized to furnish potable water to its members or customers for uses other than the irrigation of agricultural land;

(n) the right of entry that is a property right reserved in land or received by mesne conveyance (exclusive of leasehold interests), devise, or succession to enter land whose surface title is held by another to explore, prospect, or dig for oil, gas, coal, or minerals;

(o) property owned and used by a corporation or association organized and operated exclusively for the care of the developmentally disabled, mentally ill, or vocationally handicapped as defined in 18-5-101, which is not operated for gain or profit;

(p) all farm buildings with a market value of less than \$500 and all agricultural implements and machinery with a market value of less than \$100; and

(q) property owned by a nonprofit corporation organized to provide facilities primarily for training and practice for or competition in international sports and athletic events and not held or used for private or corporate gain or profit. For purposes of this subsection (1)(q), "nonprofit corporation" means an organization exempt from taxation under section 501(c) of the Internal Revenue Code and incorporated and admitted under the Montana Nonprofit Corporation Act.

(2) (a) The term "institutions of purely public charity" includes organizations owning and operating facilities for the care of the retired or aged or chronically ill, which are not operated for gain or profit.

(b) The terms "public art galleries" and "public observatories" include only those art galleries and observatories, whether of public or private ownership, that are open to the public without charge at all reasonable hours and are used for the purpose of education only.

~~(3) The following portions of the appraised value of a capital investment made after January 1, 1979, in a recognized nonfossil form of energy generation, as defined in 15-32-102, are exempt from taxation for a period of 10 years following installation of the property:-~~

~~(a) \$20,000 in the case of a single family residential dwelling;-~~

~~(b) \$100,000 in the case of a multifamily residential dwelling or a nonresidential structure."~~

Section 6. Section 15-30-101, MCA, is amended to read:

"15-30-101. Definitions. For the purpose of this chapter, unless otherwise required by the context, the following definitions apply:

~~(1) "Base year structure" means the following elements of the income tax structure:-~~

~~(a) the tax brackets established in 15-30-103, but unadjusted by subsection (2) of 15-30-103, in effect on June 30 of the taxable year;-~~

~~(b) the exemptions contained in 15-30-112, but unadjusted by subsections (7) and (8) of 15-30-112, in effect on June 30 of the taxable year;-~~

~~(c) the maximum standard deduction provided in 15-30-122, but unadjusted by subsection (2) of 15-30-122, in effect on June 30 of the taxable year.-~~

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~~(2) "Consumer price index" means the consumer price index, United States city average, for all items, using the 1967 base of 100 as published by the bureau of labor statistics of the U.S. department of labor.~~

~~(3)~~(1) "Department" means the department of revenue.

~~(4) "Dividend" means any distribution made by a corporation out of its earnings or profits to its shareholders or members, whether in cash or in other property or in stock of the corporation, other than stock dividends as herein defined. "Stock dividends" means new stock issued, for surplus or profits capitalized, to shareholders in proportion to their previous holdings.~~

~~(5)~~(2) "Fiduciary" means a guardian, trustee, executor, administrator, receiver, conservator, or any person, whether individual or corporate, acting in any fiduciary capacity for any person, trust, or estate.

~~(6)~~(3) "Foreign country" or "foreign government" means any jurisdiction other than the one embraced within the United States, its territories and possessions.

~~(7) "Gross income" means the taxpayer's gross income for federal income tax purposes as defined in section 61 of the Internal Revenue Code of 1954 or as that section may be labeled or amended, excluding unemployment compensation included in federal gross income under the provisions of section 85 of the Internal Revenue Code of 1954 as amended.~~

~~(8) "Inflation factor" means a number determined for each taxable year by dividing the consumer price index for June of the taxable year by the consumer price index for June, 1980.~~

(4) "Individual" means a natural person, whether married or unmarried, adult or minor, subject to payment of an income tax under the Internal Revenue Code.

~~(9)~~(5) "Information agents" includes all individuals, corporations, associations, and partnerships, in whatever capacity acting, including lessees or mortgagors of real or personal property, fiduciaries, employers, and all officers and employees of the state or of any municipal corporation or political subdivision of the state, having the control, receipt, custody, disposal, or payment of interest, rent, salaries, wages, premiums, annuities, compensations, remunerations, emoluments, or other fixed or determinable annual or periodical gains, profits, and income with respect to which any person or fiduciary is taxable under this chapter.

~~(10) "Knowingly" is as defined in 45-2-101.~~

~~(11) "Net income" means the adjusted gross income of a taxpayer less the deductions allowed by this chapter.~~

~~(12) "Paid", for the purposes of the deductions and credits under this chapter, means paid or accrued or paid or incurred, and the terms "paid or incurred" and "paid or accrued" shall be construed according to the method of accounting upon the basis of which the taxable income is computed under this chapter.~~

~~(13) "Purposely" is as defined in 45-2-101.~~

~~(14) "Received", for the purpose of computation of taxable income under this chapter, means received or accrued and the term "received or accrued" shall be construed according to the method of accounting upon the basis of which the taxable income is computed under this chapter.~~

(6) "Internal Revenue Code" means the Internal Revenue Code of 1954, redesignated as the "Internal Revenue Code of 1986" by section 2 of Public Law 99-514, as that code may be amended from time to time by the United States congress. It is the specific intent of the legislature that all amendments by the United States congress must be incorporated into the context of any section of Title 15 referring to the Internal Revenue Code.

(7) "Person" means an individual, a trust or estate, or a partnership.

~~(15)~~(8) "Resident" applies only to natural persons and includes, for the purpose of determining liability to the tax imposed by this chapter with reference to the income of any taxable year, any person domiciled in the state of Montana and any other person who maintains a permanent place of abode within the state even though temporarily absent from the state and has not established a residence elsewhere.

~~(16) "Taxable income" means the adjusted gross income of a taxpayer less the deductions and exemptions provided for in this chapter.~~

~~(17)~~(9) "Taxable year" means the taxpayer's taxable year for federal income tax purposes.

~~(18)~~(10) "Taxpayer" includes any person or fiduciary, resident or nonresident, subject to a tax imposed by this chapter and does not include corporations."

NEW SECTION. Section 7. State income tax as percentage of federal. (1) A state income tax is imposed and must be paid and collected for each taxable year upon:

(a) the federal adjusted taxable income derived from sources within and outside Montana of each resident and fiduciary required to make a return and pay federal income taxes under the Internal Revenue Code; and

(b) the federal adjusted taxable income derived from sources within Montana of each nonresident and fiduciary required to make a return and pay federal income taxes under the Internal Revenue Code.

(2) "Federal adjusted taxable income" means the taxpayer's taxable income, as determined for federal income taxes under the provisions of the Internal Revenue Code, with the following additional deductions:

(a) all benefits not in excess of \$8,000 received:

(i) under the Federal Employees' Retirement Act;

(ii) under the public employee retirement laws of a state other than Montana;

(iii) as an annuity, pension, or endowment under any private or corporate retirement plan or system; or

(iv) Title 19;

(b) income earned by an enrolled member of a federally recognized Indian tribe during the time he both lives and works on a reservation;

(c) Montana income tax refunds or credits;

(d) interest income from obligations of the United States government to the extent the income is exempt from state income tax under federal law; and

(e) interest received on obligations of any state, territory, county, municipality, district, or other political subdivision.

(3) A shareholder of a corporation for which the election provided for under subchapter S. of the Internal Revenue Code is in effect but for which the election provided under 15-31-202 is not in effect may deduct from his federal taxable income any part of the corporation's undistributed taxable income, net operating loss, capital or other gains, profits, or losses required to be included in the shareholder's federal taxable income by reason of the election under subchapter S. However, to the shareholder's federal taxable income must be added distributions received from the corporation to the extent the distributions would be treated as taxable dividends if the subchapter S. election were not in effect.

(4) Nonresidents taking any of the deductions listed in subsection (2) may claim only that percentage of itemized deductions and the personal exemption deduction allowed from federal adjusted gross income that the percentage of adjusted gross income earned from sources within Montana bears to the taxpayer's federal adjusted gross income.

(5) If a taxpayer's federal adjusted taxable income is adjusted for state income tax purposes to include any of the additional deductions or modifications of subsections (2) through (4), the taxpayer's federal income tax liability must be recomputed on this adjusted figure to allow the state income tax rate to be applied against it.

(6) A person receiving benefits described in subsection (2)(a) may not exclude benefits described in subsection (2)(a)(i) through (2)(a)(iv) from adjusted gross income unless the benefits received under subsections (2)(a)(i) through (2)(a)(iv) are less than \$8,000, in which case the person may combine benefits to exclude up to a total of \$8,000 from adjusted gross income.

NEW SECTION. Section 8. Rate of tax. The rate of state income tax is 35% of a taxpayer's federal income tax liability, adjusted as provided in [section 7(5)].

NEW SECTION. Section 9. Nonresidents — determination of in-state income. A nonresident's income from sources within Montana includes income derived from all property owned in this state and from every business, trade, profession, or occupation carried on in this state. It does not include income from annuities, interest on bank deposits, interest on notes, bonds, or other interest-bearing obligations, or dividends on stock of corporations, except to the

extent to which this income is a part of the income derived from a business, trade, profession, or occupation carried on in this state. In the case of a business, trade, profession, or occupation carried on partly within and partly outside this state by a nonresident, the income from sources within this state must be determined by apportionment and allocation under rules adopted by the department.

NEW SECTION. Section 10. Tax return — contents. (1) Each individual or fiduciary mentioned in [section 7(1)] shall file a return with the department showing:

- (a) the amount of tax due and payable as reported on the taxpayer's federal income tax return or as recomputed as required in [section 7];
 - (b) the amount of tax due under [section 8], less credits, if any, claimed against the tax;
 - (c) any other information necessary for administration of the state income tax, as may be prescribed by the department.
- (2) If a taxpayer is unable to make his own return, an authorized agent, guardian, or other person charged with the care of the person or property of the taxpayer shall file the return.

NEW SECTION. Section 11. Payment of state income tax — refunds — interest. (1) A taxpayer required to file a state income tax return shall compute the amount of state income tax due and shall, at the time the return is filed, pay to the department any balance of tax in excess of \$1 remaining unpaid after crediting the amount withheld as provided under 15-30-202 or any payment of estimated tax as provided under 15-30-242.

- (2) If the withheld tax or the estimated tax paid exceeds the state income tax due by more than \$1, the department shall refund the excess to the taxpayer within 30 days after receiving the return.
- (3) Except as provided in 15-30-321, interest at a rate of 9% a year must be added to any state income tax or portion of tax, from the due date until paid, whether the taxpayer has been granted a filing extension or not.
- (4) If a joint return is made by husband and wife, the liability with respect to the tax is joint and several.

Section 12. Section 15-30-162, MCA, is amended to read:

"15-30-162. Investment credit. (1) There is allowed as a credit against the tax imposed by ~~15-30-103~~ [section 7] a percentage of the credit allowed with respect to certain depreciable property under section 38 of the Internal Revenue Code of 1954, as amended, or as section 38 may be renumbered or amended. However, rehabilitation costs as set forth under section 46(a)(2)(F) of the Internal Revenue Code of 1954, or as section 46(a)(2)(F) may be renumbered or amended, are not to be included in the computation of the investment credit. The credit is allowed for the purchase and installation of certain qualified property defined by section 38 of the Internal Revenue Code of 1954, as amended, if the property meets all of the following qualifications:

- (a) it was placed in service in Montana; and

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(b) it was used for the production of Montana adjusted gross income.

(2) The amount of the credit allowed for the taxable year is 5% of the amount of credit determined under section 46(a)(2) of the Internal Revenue Code of 1954, as amended, or as section 46(a)(2) may be renumbered or amended.

(3) Notwithstanding the provisions of subsection (2), the investment credit allowed for the taxable year may not exceed the taxpayer's tax liability for the taxable year or \$500, whichever is less.

(4) If property for which an investment credit is claimed is used both inside and outside this state, only a portion of the credit is allowed. The credit must be apportioned according to a fraction the numerator of which is the number of days during the taxable year the property was located in Montana and the denominator of which is the number of days during the taxable year the taxpayer owned the property. The investment credit may be applied only to the tax liability of the taxpayer who purchases and places in service the property for which an investment credit is claimed. The credit may not be allocated between spouses unless the property is used by a partnership or small business corporation of which they are partners or shareholders.

(5) The investment credit allowed by this section is subject to recapture as provided for in section 47 of the Internal Revenue Code of 1954, as amended, or as section 47 may be renumbered or amended."

Section 13. Section 15-30-241, MCA, is amended to read:

"15-30-241. Declaration of estimated tax. (1) ~~Every~~ Each individual ~~except farmers, ranchers, or stockmen~~ shall, at the time prescribed in subsection (3) of this section, make a declaration of his estimated tax for the taxable year if ~~his net income from sources other than wages, salaries, bonuses, or other emoluments can reasonably be expected to equal or exceed his net income from wages, salaries, bonuses or other emoluments, which are subject to withholding~~ he is required to file a declaration of his estimated tax under the provisions of the Internal Revenue Code.

(2) In the declaration required under subsection (1) of this section, the individual shall state:

(a) the amount which he estimates as the amount of tax under ~~15-30-103~~ [section 8] for the taxable year;

(b) the amount which he estimates will be withheld from wages paid by his employer if said individual is an employee;

(c) the excess of the amount estimated under subsection (2)(a) over the amount estimated under subsection (2)(b), which excess for purposes of this section shall be considered the estimated tax for the taxable year;

(d) such other information as may be prescribed in rules promulgated by the department.

(3) The declaration required under subsection (1) ~~of this section~~ shall be filed with the department on or before April 15 of the taxable year, except that if the requirements of subsection (1) ~~of this section~~ are first met:

- (a) after April 1 and before October 1 of the taxable year, the declaration shall be filed on or before October 15 of the taxable year;
- (b) after October 1 of the taxable year, the declaration shall be filed on or before February 15 of the succeeding taxable year.
- (4) An individual may make amendments of a declaration filed during the taxable year under subsection (3) ~~of this section~~ under rules prescribed by the department.
- (5) If, on or before February 15 of the succeeding taxable year, the taxpayer files a return for the taxable year for which the declaration is required and pays in full the amount computed on his return as payable, then under rules prescribed by the department:
 - (a) if the declaration is not required to be filed during the taxable year but is required to be filed on or before ~~such~~ February 15, ~~such~~ the return shall for the purposes of this section be considered as ~~such~~ the declaration; and
 - (b) if the tax shown on the return is greater than the estimated tax shown in a declaration previously made or in the last amendments thereof, ~~such~~ the return shall for the purposes of this section be considered as the amendment of the declaration permitted by subsection (4) ~~of this section~~ to be filed on or before ~~such~~ February 15.
- (6) The department shall promulgate rules governing reasonable extensions of time for filing declarations and paying the estimated tax except in the case of taxpayers who are abroad, and no such extension shall be for more than 6 months.
- (7) If the taxpayer is unable to make his own declaration, the declaration shall be made by a duly authorized agent or by the guardian or other person charged with the care of the person or property of ~~such~~ the taxpayer.
- (8) Any individual who fails to file a declaration of estimated tax as required by this section is not subject to the penalties set forth in 15-30-321."

Section 14. Section 15-30-303, MCA, is amended to read:

"15-30-303. Confidentiality of tax records. (1) Except in accordance with proper judicial order or as otherwise provided by law, it is unlawful for the department or any deputy, assistant, agent, clerk, or other officer or employee to divulge or make known in any manner the amount of income or any particulars set forth or disclosed in any report or return required under this chapter or any other information secured in the administration of this chapter. It is also unlawful to divulge or make known in any manner any federal return or federal return information disclosed on any return or report required by rule of the department or under this chapter.

(2) The officers charged with the custody of such reports and returns shall not be required to produce any of them or evidence of anything contained in them in any action or proceeding in any court, except in any action or proceeding to which the department is a party under the provisions of this chapter or any other taxing act or on behalf of any party to any action or proceedings under the provisions of this chapter or such other act when the reports or facts shown thereby are directly involved in ~~such~~ the action or proceedings, in either of which events the court may require the production

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of and may admit in evidence so much of ~~said~~ the reports or of the facts shown thereby as are pertinent to the action or proceedings and no more.

(3) Nothing herein shall be construed to prohibit:

(a) the delivery to a taxpayer or his duly authorized representative of a certified copy of any return or report filed in connection with his tax;

(b) the publication of statistics so classified as to prevent the identification of particular reports or returns and the items thereof; or

(c) the inspection by the attorney general or other legal representative of the state of the report or return of any taxpayer who shall bring action to set aside or review the tax based thereon or against whom an action or proceeding has been instituted in accordance with the provisions of 15-30-311 and 15-30-322.

(4) Reports and returns shall be preserved for 3 years and thereafter until the department orders them to be destroyed.

(5) Any offense against subsections (1) through (4) of this section shall be punished by a fine not exceeding \$1,000 or by imprisonment in the county jail not exceeding 1 year, or both, at the discretion of the court, and if the offender ~~be~~ is an officer or employee of the state, he shall be dismissed from office and be incapable of holding any public office in this state for a period of 1 year thereafter.

(6) Notwithstanding the provisions of this section, the department may permit the commissioner of internal revenue of the United States or the proper officer of any state imposing a tax upon the incomes of individuals or the authorized representative of either such officer to inspect the return of income of any individual or may furnish to ~~such~~ the officer or his authorized representative an abstract of the return of income of any individual or supply him with information concerning any item of income contained in any return or disclosed by the report of any investigation of the income or return of income of any individual, but ~~such~~ permission shall be granted or ~~such~~ information furnished to ~~such~~ the officer or his representative only if the statutes of the United States or of ~~such~~ the other state, as the case may be, grant substantially similar privileges to the proper officer of this state charged with the administration of this chapter.

(7) Further, notwithstanding any of the provisions of this section, the department shall furnish-

~~(a) to the department of justice all information necessary to identify those persons qualifying for the additional exemption for blindness pursuant to 15-30-112(4), for the purpose of enabling the department of justice to administer the provisions of 61-5-105; and~~

~~(b) to the department of social and rehabilitation services information acquired under 15-30-301, pertaining to an applicant for public assistance, reasonably necessary for the prevention and detection of public assistance fraud and abuse, provided notice to the applicant has been given."~~

Section 15. Section 15-30-323, MCA, is amended to read:

"15-30-323. Penalty for deficiency. (1) If the payment required by ~~15-30-142(6)~~ [section 11] is not made within 60 days or if the understatement is due to negligence on the part of the taxpayer but without fraud, there shall be added to the amount of the deficiency 5% ~~thereof~~; provided, however, that no deficiency penalty shall be less than \$2. Interest will be computed at the rate of 9% per annum or fraction thereof on the additional assessment. Except as otherwise expressly provided in this subsection, the interest shall in all cases be computed from the date the return and tax were originally due as distinguished from the due date as it may have been extended to the date of payment.

(2) If the time for filing a return is extended, the taxpayer shall pay in addition interest ~~thereon~~ at the rate of 9% per annum from the time when the return was originally required to be filed to the time of payment."

Section 16. Section 15-31-114, MCA, is amended to read:

"15-31-114. Deductions allowed in computing income. In computing the net income, the following deductions shall be allowed from the gross income received by ~~such~~ the corporation within the year from all sources:

(1) All the ordinary and necessary expenses paid or incurred during the taxable year in the maintenance and operation of its business and properties, including reasonable allowance for salaries for personal services actually rendered, subject to the limitation ~~hereinafter~~ contained in this section, rentals or other payments required to be made as a condition to the continued use or possession of property to which the corporation has not taken or is not taking title or in which it has no equity. No deduction shall be allowed for salaries paid upon which the recipient ~~thereof~~ has not paid Montana state income tax; provided, however, that where domestic corporations are taxed on income derived from ~~without~~ outside the state, salaries of officers paid in connection with securing such income shall be deductible.

(2) (a) All losses actually sustained and charged off within the year and not compensated by insurance or otherwise, including a reasonable allowance for the wear and tear and obsolescence of property used in the trade or business, ~~such allowance~~ to be determined according to the provisions of section 167 of the Internal Revenue Code in effect with respect to the taxable year. All elections for depreciation shall be the same as the elections made for federal income tax purposes. No deduction shall be allowed for any amount paid out for any buildings, permanent improvements, or betterments made to increase the value of any property or estate, and no deduction shall be made for any amount of expense of restoring property or making good the exhaustion thereof for which an allowance is or has been made.

(b) (i) There shall be allowed as a deduction for the taxable period a net operating loss deduction determined according to the provisions of this subsection. The net operating loss deduction is the aggregate of net operating loss carryovers to ~~such~~ the taxable period plus the net operating loss carrybacks to ~~such~~ the taxable period. The term "net operating loss" means the excess of the deductions allowed by this section, ~~15-31-114~~, over the gross income, with the

modifications specified in subsection (2)(b)(ii) of this subsection. If for any taxable period beginning after December 31, 1970, a net operating loss is sustained, ~~such~~ the loss shall be a net operating loss carryback to each of the three taxable periods preceding the taxable period of ~~such~~ the loss and shall be a net operating loss carryover to each of the five taxable periods following the taxable period of ~~such~~ the loss. A net operating loss for any taxable period ending after December 31, 1975, in addition to being a net operating loss carryback to each of the three preceding taxable periods, shall be a net operating loss carryover to each of the seven taxable periods following the taxable period of ~~such~~ the loss. The portion of ~~such~~ the loss which shall be carried to each of the other taxable years shall be the excess, if any, of the amount of ~~such~~ the loss over the sum of the net income for each of the prior taxable periods to which ~~such~~ the loss was carried. For purposes of the preceding sentence, the net income for ~~such~~ the prior taxable period shall be computed with the modifications specified in subsection (2)(b)(ii)(B) of this subsection and by determining the amount of the net operating loss deduction without regard to the net operating loss for the loss period or any taxable period thereafter, and the net income so computed shall not be considered to be less than zero.

(ii) The modifications referred to in subsection (2)(b)(i) of this subsection shall be as follows:

(A) No net operating loss deduction shall be allowed.

(B) The deduction for depletion shall not exceed the amount which would be allowable if computed under the cost method.

(C) Any net operating loss carried over to any taxable years beginning after December 31, 1978, must be calculated under the provisions of this section effective for the taxable year for which the return claiming the net operating loss carryover is filed.

(iii) A net operating loss deduction shall be allowed only with regard to losses attributable to the business carried on within the state of Montana.

(iv) In the case of a merger of corporations, the surviving corporation shall not be allowed a net operating loss deduction for net operating losses sustained by the merged corporations prior to the date of merger. In the case of a consolidation of corporations, the new corporate entity shall not be allowed a deduction for net operating losses sustained by the consolidated corporations prior to the date of consolidation.

(v) Notwithstanding the provisions of 15-31-531, interest shall not be paid with respect to a refund of tax resulting from a net operating loss carryback or carryover.

(vi) The net operating loss deduction shall not be allowed with respect to taxable periods which ended on or before December 31, 1970, but shall be allowed only with respect to taxable periods beginning on or after January 1, 1971.

(3) In the case of mines, other natural deposits, oil and gas wells, and timber, a reasonable allowance for depletion and for depreciation of improvements; such reasonable allowance to be determined according to the provisions of the Internal Revenue Code in effect for the taxable year. All elections made under the Internal Revenue

Code with respect to capitalizing or expensing exploration and development costs and intangible drilling expenses for corporation license tax purposes shall be the same as the elections made for federal income tax purposes.

(4) The amount of interest paid within the year on its indebtedness incurred in the operation of the business from which its income is derived; but no interest shall be allowed as a deduction if paid on an indebtedness created for the purchase, maintenance, or improvement of property or for the conduct of business unless the income from ~~such~~ the property or business would be taxable under this part.

(5) (a) Taxes paid within the year, except the following:

(i) Taxes imposed by this part.

(ii) Taxes assessed against local benefits of a kind tending to increase the value of the property assessed.

(iii) Taxes on or according to or measured by net income or profits imposed by authority of the government of the United States.

(iv) Taxes imposed by any other state or country upon or measured by net income or profits.

(b) Taxes deductible under this part shall be construed to include taxes imposed by any county, school district, or municipality of this state.

~~(6) That portion of an energy-related investment allowed as a deduction under 15-32-103.~~

~~(7)~~(6) (a) Except as provided in subsection (b), charitable contributions and gifts that qualify for deduction under section 170 of the Internal Revenue Code, as amended.

(b) The public service commission shall not allow in the rate base of a regulated corporation the inclusion of contributions made under this subsection.

~~(8)~~(7) In lieu of the deduction allowed under subsection ~~(7)~~(6), the taxpayer may deduct the fair market value, not to exceed 30% of the taxpayer's net income, of a computer or other sophisticated technological equipment or apparatus intended for use with the computer donated to an elementary, secondary, or accredited postsecondary school located in Montana if:

(a) the contribution is made no later than 5 years after the manufacture of the donated property is substantially completed;

(b) the property is not transferred by the donee in exchange for money, other property, or services; and

(c) the taxpayer receives a written statement from the donee in which the donee agrees to accept the property and representing that the use and disposition of the property will be in accordance with the provisions of ~~(b) of this subsection~~ ~~(8)~~(7)(b)."

Section 17. Section 15-31-202, MCA, is amended to read:

"15-31-202. Election by small business corporation. (1) A small business corporation may elect not to be subject to the taxes imposed by this chapter.

(2) If a small business corporation makes an election under subsection (1), then:

(a) with respect to the taxable years of the corporation for which ~~such the~~ election is in effect, ~~such the~~ corporation is not subject to the taxes imposed by this chapter and, with respect to ~~such the~~ taxable years and all succeeding taxable years, the provisions of this part apply to ~~such the~~ corporation; and

(b) with respect to the taxable years of a shareholder of such corporation in which or with which the taxable years of the corporation for which ~~such the~~ election is in effect end, the provisions of this part apply to ~~such the~~ shareholder, and with respect to ~~such the~~ taxable years and all succeeding taxable years, the provisions of this part apply to ~~such the~~ shareholder.

(3) An election under subsection (1) must be made in accordance with rules prescribed by the department of revenue.

(4) This election is not effective unless the corporate net income or loss of ~~such the~~ electing corporation is included in the stockholders' federal adjusted ~~gross~~ taxable income as defined in ~~15-30-111~~ [section 7].

(5) Every electing corporation is required to pay the minimum fee of \$10 required by 15-31-204."

Section 18. Section 15-32-102, MCA, is amended to read:

"15-32-102. Definitions. As used in this part, the following definitions apply:

(1) "Building" means a single or multiple dwelling, including a mobile home, or a building used for commercial, industrial, or agricultural purposes, which is enclosed with walls and a roof.

(2) "Capital investment" means any material or equipment purchased and installed in a building or land with or without improvements.

(3) "Energy conservation purpose" means one or more of the following results of an investment: reducing the waste or dissipation of energy or reducing the amount of energy required to accomplish a given quantity of work.

(4) "Passive solar system" means a direct thermal energy system that uses the structure of a building and its operable components to provide heating or cooling during the appropriate times of the year by using the climate resources available at the site. It includes only those portions and components of a building that are expressly designed and required for the collection, storage, and distribution of solar energy and that are not standard components of a conventional building.-

~~(5) "Low emission wood or biomass combustion device" means a stove or furnace or a catalytic converter added to a stove or furnace which burns wood or other nonfossil biomass and which has an emission rate of less than 6 grams per hour when tested in conformance with the standard method for measuring the emissions and efficiencies of residential wood stoves as adopted by the department of health and environmental sciences pursuant to 15-32-203.~~

(6)(5) "Recognized nonfossil forms of energy generation" means a system for the utilization of solar energy including passive solar systems, wind, solid wastes, or the decomposition of organic wastes for capturing energy or converting energy sources into usable sources, for the production of electric power from solid wood wastes, a low emission wood or biomass combustion device, and also means a small system for the utilization of water power by means of an impoundment not over 20 acres in surface area."

Section 19. Section 15-32-104, MCA, is amended to read:

"15-32-104. Limitations on deduction and credit. Tax treatment under 15-32-103 ~~and 15-32-109~~ is limited to:

- (1) capital investments made after January 1, 1975;
- (2) persons and firms not primarily engaged in the provision of gas or electricity derived from fossil fuel extraction or conventional hydroelectric development; and
- (3) a ceiling of \$100,000 in tax savings per year to any one person or firm."

Section 20. Section 15-32-106, MCA, is amended to read:

"15-32-106. Procedure for obtaining benefit of deduction or credit. The department of revenue shall provide forms on which a taxpayer may apply for tax treatment under 15-32-103 ~~or 15-32-109~~. Application shall be made to the department of revenue. The department of revenue shall approve an application which demonstrably promotes energy conservation or utilizes a recognized nonfossil form of energy generation. The department of revenue may refer an application involving energy generation to the department of natural resources and conservation for its advice, and the department of natural resources and conservation shall respond within 60 days. The department of revenue may refer an application involving energy conservation to the department of administration for its advice, and the department of administration shall respond within 60 days. The department of revenue may deny an application which it finds to be impractical or ineffective."

Section 21. Section 15-32-303, MCA, is amended to read:

"15-32-303. Deduction for purchase of Montana produced organic fertilizer. In addition to all other deductions from ~~adjusted gross individual income allowed in computing taxable income under Title 15, chapter 30, or from~~ gross corporate income allowed in computing net income under Title 15, chapter 31, part 1, a taxpayer corporation may deduct ~~his~~ its expenditures for organic fertilizer produced in Montana and used in Montana if the expenditure was not otherwise deducted in computing taxable income."

Section 22. Section 15-32-402, MCA, is amended to read:

"15-32-402. Commercial investment credit — wind-generated electricity. (1) ~~An individual,~~ A corporation, partnership, or small business corporation as defined in 15-31-201 that makes an investment of \$5,000 or more in certain depreciable property qualifying under section 38 of the Internal Revenue Code ~~of 1954~~, as amended, for a commercial system located in Montana which generates electricity by means of wind power is entitled to a tax credit against taxes imposed

by ~~15-30-103 or~~ 15-31-121 in an amount equal to 35% of the eligible costs, to be taken as a credit only against taxes due as a consequence of taxable or net income produced by one of the following:

(a) manufacturing plants located in Montana that produce wind energy generating equipment;

(b) a new business facility or the expanded portion of an existing business facility for which the wind energy generating equipment supplies, on a direct contract sales basis, the basic energy needed; or

(c) the wind energy generating equipment in which the investment for which a credit is being claimed was made.

(2) For purposes of determining the amount of the tax credit that may be claimed under subsection (1), eligible costs include only those expenditures that qualify under section 38 of the Internal Revenue Code of 1954, as amended, and that are associated with the purchase, installation, or upgrading of:

(a) generating equipment;

(b) safety devices and storage components;

(c) transmission lines necessary to connect with existing transmission facilities; and

(d) transmission lines necessary to connect directly to the purchaser of the electricity when no other transmission facilities are available.

(3) Eligible costs under subsection (2) must be reduced by the amount of any grants provided by the state or federal government for the system."

Section 23. Section 15-32-405, MCA, is amended to read:

"15-32-405. Exclusion from other tax incentives. If a credit is claimed for an investment pursuant to this part, no other state energy or investment tax credit, including but not limited to the tax credits allowed by 15-30-162 and 15-31-123 through 15-31-125, may be claimed for the investment. ~~Property tax reduction allowed by 15-6-201(3) may not be applied to a facility for which a credit is claimed pursuant to this part.~~"

Section 24. Section 15-33-106, MCA, is amended to read:

"15-33-106. Capital gains — dividends exempted. Any capital gains or dividend income realized by ~~an individual or~~ a corporation from an investment in an SBIC organized in accordance with this part is exempt from taxation under the provisions of Title 15, ~~chapters 30 and chapter 31.~~"

Renumber: subsequent sections

7. Page 6, line 6.

Following: "."

Insert: "After July 1, 1991, 20% to the state special revenue fund to the credit of the education trust fund account."

8. Page 9, line 12.

Strike: "SUBSECTION"

Insert: "subsections"

Following: "(3)"

Insert: "through (5)"

9. Page 9, line 13.

Strike: "SUBSECTION"

Insert: "subsections"

Following: "(3)"

Insert: "through (5)"

10. Page 9, line 17.

Strike: "AND PRIOR TO JUNE 30,1991,"

11. Page 9, lines 19 and 20.

Following: "STATE" on line 19

Strike: remainder of line 19 through "STATE" on line 20

Insert: "general fund"

12. Page 9, line 21.

Following: line 20

Insert: "(4) Beginning July 1, 1989, the legislature shall appropriate 3% of the income and earnings from all funds to be deposited to the coal severance tax permanent fund each year.

(5) Beginning July 1, 1989, the legislature shall appropriate 12% of the income and earnings from all funds to be deposited to the state special revenue fund for state equalization aid to public schools."

13. Page 27, line 4.

Following: line 3

Insert: "Section 27. Section 19-3-105, MCA, is amended to read:

"19-3-105. Exemption from taxes and legal process. The right of a person to a retirement allowance or any other benefit under this chapter and the ~~moneys~~ money in the fund created under this chapter ~~is are~~ not:

(1) subject to execution, garnishment, attachment, or any other process;

(2) subject to state, county, or municipal taxes except:

(a) for the amount received in excess of \$8,000; or

(b) for a refund paid under 19-3-703 of a member's contributions picked up by an employer after June 30, 1985, as provided in 19-3-701; or

(3) assignable except as in this chapter specifically provided."

Section 28. Section 19-4-706, MCA, is amended to read:

"19-4-706. Exemption from taxation and legal process. The pensions, annuities, or any other benefits accrued or accruing to any person under the provisions of the retirement system and the accumulated contributions and cash and securities in the various funds of the retirement system are:

(1) exempted from any state, county, or municipal tax of the state of Montana except for:

(a) the amount received in excess of \$8,000; or

(b) a refund paid under 19-4-603 of a member's contributions picked up by an employer after June 30, 1985, as provided in 19-4-602;

(2) not subject to execution, garnishment, attachment by trustee process or otherwise, in law or equity, or any other process; and

(3) unassignable except as specifically provided in this chapter."

Section 29. Section 19-5-704, MCA, is amended to read:

"19-5-704. Exemption from taxes and legal process. ~~Any money~~ (1) Money received or to be paid as a member's annuity, state annuity, or return of deductions or the right of any of these ~~shall be~~ is exempt ~~from any state or municipal tax~~ and from levy, sale, garnishment, attachment, or any other process ~~whatsoever~~ and ~~shall be~~ is unassignable except as specifically provided in 19-5-705.

(2) The first \$8,000 received under this chapter is exempt from state, county, and municipal taxation."

Section 30. Section 19-6-705, MCA, is amended to read:

"19-6-705. Exemption from taxes and legal process. Any money received or to be paid as a member's annuity, state annuity, or return of deductions or the right of any of these is: (1) exempt from any state, county, or municipal tax except for:

(a) the amount received in excess of \$8,000; or

(b) a refund paid under 19-6-403 of a member's contributions picked up by an employer after June 30, 1985, as provided in 19-6-402;

(2) exempt from levy, sale, garnishment, attachment, or any other process; and

(3) unassignable except as specifically provided in 19-6-706."

Section 31. Section 19-7-705, MCA, is amended to read:

"19-7-705. Exemption from taxes and legal process. Any money received or to be paid as a member's annuity, state annuity, or return of deductions or the right of any of these is:

(1) exempt from any state, county, or municipal tax except for:

(a) the amount received in excess of \$8,000; or

(b) a refund paid under 19-7-304(1) of a member's contributions picked up by an employer after June 30, 1985, as provided in 19-7-403;

(2) exempt from levy, sale, garnishment, attachment, or any other process; and

(3) unassignable except as specifically provided in 19-7-706."

Section 32. Section 19-8-805, MCA, is amended to read:

"19-8-805. Exemption from taxes and legal process. Any money received or to be paid as a member's annuity, state annuity, or return of deductions or the right of any of these is:

(1) exempt from any state, county, or municipal tax except for:

(a) the amount received in excess of \$8,000; or

(b) a refund paid under 19-8-503 of the member's contributions picked up by an employer after June 30, 1985, as provided in 19-8-502;

(2) exempt from levy, sale, garnishment, attachment, or any other process; and

(3) unassignable except as specifically provided in 19-8-806.”

Section 33. Section 19-9-1005, MCA, is amended to read:

“19-9-1005. Exemption from taxes. Any money paid in accordance with the provisions of this chapter is exempt from any state, county, or municipal tax except for:

(1) the amount received in excess of \$8,000; or

(2) a refund paid under 19-9-304 of a member’s contributions picked up by an employer after June 30, 1985, as provided in 19-9-601.”

Section 34. Section 19-10-504, MCA, is amended to read:

“19-10-504. Protection of benefits from legal process and taxation.

(1) The benefits provided for in this part are not subject to execution, garnishment, attachment, or the operation of bankruptcy, insolvency, or other process of law and are unassignable except as specifically provided in 19-10-505.

(2) The first \$8,000 of benefits received under this part are exempt from state, county, and municipal taxation.”

Section 35. Section 19-11-612, MCA, is amended to read:

“19-11-612. Protection of benefits from legal process — nonassignability — exemption from taxation. (1) Any payments made or to be made under this chapter are not subject to judgments, garnishment, execution, or other legal process. A person entitled to a pension may not assign the right, and the association and trustees may not recognize any assignment or pay over any sum so assigned.

(2) The first \$8,000 of benefits received under this chapter are exempt from state, county, and municipal taxation.”

Section 36. Section 19-12-407, MCA, is amended to read:

“19-12-407. Payment of pension benefits — exemption from taxation. (1) All payments under the volunteer firefighters’ pension plan must be approved by the board and paid by warrants drawn upon the pension trust fund, payable to the order of the individual qualified volunteer firefighter or the beneficiary as provided in 19-12-405(1).

(2) The first \$8,000 of benefits received under this chapter are exempt from state, county, and municipal taxation.”

Section 37. Section 19-13-1003, MCA, is amended to read:

“19-13-1003. Exemption from taxes. Any money paid in accordance with the provisions of this chapter is exempt from any state, county, or municipal tax except for:

(1) the amount received in excess of \$8,000; or

(2) refunds paid under 19-13-602 of the member’s contributions picked up by an employer after June 30, 1987, as provided in 19-13-601.”

Section 38. Section 19-21-212, MCA, is amended to read:

"19-21-212. Exemption from taxation, legal process, and assessments. All contracts, benefits, and contributions under the optional retirement program and the earnings thereon are:

- (1) except for the amount received in excess of \$8,000, exempt from any state, county, or municipal tax;
- (2) not subject to execution, garnishment, attachment.
- (3) not covered or assessable by an insurance guaranty association; and
- (4) unassignable except as specifically provided in the contracts."

Renumber: subsequent sections

14. Page 28, line 23.

Following: line 22

Insert: "Section 40. Section 53-2-101, MCA, is amended to read:

"53-2-101. Definitions. Unless the context requires otherwise, in this chapter the following definitions apply:

- (1) "Department" means the department of social and rehabilitation services provided for in Title 2, chapter 15, part 22.
- (2) "Protective services" means services to children and adults to be provided by the department of family services as permitted by Titles 41 and 53.
- (3) "Public assistance" or "assistance" means any type of monetary or other assistance furnished under this title to a person by a state or county agency, regardless of the original source of the assistance.
- (4) "Needy person" is one who is eligible for public assistance under the laws of this state.
- (5) "Net monthly income" means one-twelfth of the difference between the ~~net income~~ federal adjusted taxable income for the taxable year as ~~the~~ that term net income is defined in ~~15-30-101~~ [section 7] and the state income tax paid as determined by the state income tax return filed during the current year.
- (6) "Ward Indian" is ~~hereby~~ defined as an Indian who is living on an Indian reservation set aside for tribal use or is a member of a tribe or nation accorded certain rights and privileges by treaty or by federal statutes. If and when the federal Social Security Act is amended to define a "ward Indian", such definition shall supersede the foregoing definition."

Section 41. Section 53-6-111, MCA, is amended to read:

"53-6-111. Department charged with general administration of medical assistance — adoption of rules to punish fraud. (1) The department of social and rehabilitation services is hereby authorized and empowered to administer and supervise a vendor payment program of medical assistance under the powers, duties, and functions provided in chapter 2 of this title, as amended, and as contemplated by the provisions of Title XIX of the federal Social Security Act.

(2) The department shall adopt rules establishing a system of penalties and sanctions applicable to providers of medical assistance services and supplies who engage in fraudulent, abusive, or improper

activities. The department shall define by rule those activities which are fraudulent, abusive, or improper.

(3) The penalties or sanctions imposed include but are not limited to:

- (a) required courses of education in the rules governing the medic-aid program;
- (b) withholding of payments to offset previous improper payments to a provider;
- (c) suspension of payments to a provider pending resolution of a dispute involving fraudulent, abusive, or improper activities;
- (d) suspension of participation in the program for a specified period of time; and
- (e) permanent termination of participation in the medical assistance program.

(4) The department is entitled to recover from a provider all amounts paid as a result of fraudulent, abusive, or improper activities, together with interest at the rate set by ~~15-20-142~~ [section 11] for tax deficiencies from the date of such payment.

(5) In all cases in which a penalty or sanction may be imposed, a provider is entitled to a hearing under the provisions of Title 2, chapter 4, part 6."

Section 42. Section 67-11-303, MCA, is amended to read:

"67-11-303. Bonds and obligations. (1) An authority may borrow money for any of its corporate purposes and issue its bonds therefor, including refunding bonds, in such form and upon such terms as it may determine, payable out of any revenues of the authority, including revenues derived from:

- (a) an airport or air navigation facility or facilities;
- (b) taxes levied pursuant to 67-11-301 or other law for airport purposes;
- (c) grants or contributions from the federal government; or
- (d) other sources.

(2) The bonds may be issued by resolution of the authority, without an election and without any limitation of amount, except that no such bonds may be issued at any time if the total amount of principal and interest to become due in any year on such bonds and on any then outstanding bonds for which revenues from the same source or sources are pledged exceeds the amount of such revenues to be received in that year as estimated in the resolution authorizing the issuance of the bonds. The authority shall take all action necessary and possible to impose, maintain, and collect rates, charges, rentals, and taxes, if any are pledged, sufficient to make the revenues from the pledged source in such year at least equal to the amount of such principal and interest due in that year.

(3) The bonds may be sold at public or private sale and may bear interest as provided in 17-5-102. Except as otherwise provided herein, any bonds issued pursuant to this chapter by an authority

may be payable as to principal and interest solely from revenues of the authority and shall state on their face the applicable limitations or restrictions regarding the source from which such principal and interest are payable.

(4) Bonds issued by an authority or municipality pursuant to the provisions of this chapter are declared to be issued for an essential public and governmental purpose by a political subdivision, within the meaning of ~~15-30-111(2)(a)~~ [section 7(2)(e)].

(5) For the security of any such bonds, the authority or municipality may by resolution make and enter into any covenant, agreement, or indenture and may exercise any additional powers authorized to be exercised by a municipality under Title 7, chapter 7, parts 44 and 45. The sums required from time to time to pay principal and interest and to create and maintain a reserve for the bonds may be paid from any revenues referred to in this chapter, prior to the payment of current costs of operation and maintenance of the facilities.

(6) Subject to the conditions stated in this subsection (6), the governing body of any municipality having a population in excess of 10,000, with respect to bonds issued pursuant to this chapter by the municipality or by an authority in which the municipality is included, may by resolution covenant that in the event that at any time all revenues, including taxes, appropriated and collected for such bonds are insufficient to pay principal or interest then due, it will levy a general tax upon all of the taxable property in the municipality for the payment of such deficiency; and may further covenant that at any time a deficiency is likely to occur within 1 year for the payment of principal and interest due on such bonds, it will levy a general tax upon all the taxable property in the municipality for the payment of such deficiency, and such taxes are not subject to any limitation of rate or amount applicable to other municipal taxes but are limited to a rate estimated to be sufficient to produce the amount of the deficiency. In the event more than one municipality having a population in excess of 10,000 is included in an authority issuing bonds pursuant to this chapter, the municipalities may apportion the obligation to levy taxes for the payment of, or in anticipation of, a deficiency in the revenues appropriated for such bonds in such manner as the municipalities may determine. The resolution shall state the principal amount and purpose of the bonds and the substance of the covenant respecting deficiencies. No such resolution becomes effective until the question of its approval has been submitted to the qualified electors of the municipality at a special election called for that purpose by the governing body of the municipality and a majority of the electors voting on the question have voted in favor thereof. The notice and conduct of the election is governed, to the extent applicable, as provided for municipal general obligation bonds in Title 7, chapter 7, part 42, for an election called by cities and towns, and as provided for county general obligation bonds in Title 7, chapter 7, part 22, for an election called by counties. If a majority of the electors voting thereon vote against approval of the resolution, the municipality has no authority to make the covenant or to levy a tax for the payment of deficiencies pursuant to this section, but such municipality or authority may nevertheless issue bonds under this chapter payable solely from the sources referred to in subsection (1) above."

Section 43. Section 90-4-503, MCA, is amended to read:

"90-4-503. Residential conservation service established. ~~(1)~~ There is a residential conservation service established in Montana under the National Energy Conservation Policy Act of 1978, which shall be administered by the department according to the provisions of P.L. 95-619 and this part.

~~(2) This part is supplemental to the provisions of 15-32-107 administered by the public service commission."~~

Section 44. Section 90-8-104, MCA, is amended to read:

"90-8-104. Definitions. As used in this chapter, unless the context requires otherwise, the following definitions apply:

(1) "Board" means the board of investments provided for in 2-15-1808.

(2) "Capital base" means equity capital raised by a certified Montana capital company for which tax credits were claimed under this chapter and additions to net worth caused by increases in retained earnings.

(3) "Certified Montana capital company" means:

(a) a development credit corporation created pursuant to Title 32, chapter 4; or

(b) a profit or nonprofit entity organized and existing under the laws of Montana, created for the purpose of making venture or risk capital available for qualified investments and that has been certified by the board.

(4) "Montana business" means a business which is located or principally based within Montana.

(5) "Qualified investment" means:

(a) a debt or equity financing of a Montana business that meets both of the following criteria:

(i) the business is engaged in one or more of the following activities:

(A) manufacturing;

(B) agricultural, fishery, or forestry production and processing;

(C) mineral production and processing, except for conventional oil and gas exploration;

~~(D) recognized nonfossil forms of energy generation as defined in 15-32-102;~~

~~(E)~~(D) transportation;

~~(F)~~(E) research and development of products or processes associated with any of the activities enumerated in (A) through ~~(E)~~(D) above;

~~(G)~~(F) wholesale or retail distribution activities for which products produced in Montana comprise 50% or more of the gross sales receipts;

~~(H)~~(G) any activity conducted in the state for which 50% or more of the gross receipts are derived from the sale of products or services outside Montana; and

~~(I)~~(H) tourism; and

(ii) the business is a small business as defined in rules adopted by the board; or

(b) a debt or equity financing of a business outside Montana if such investment is likely to produce a qualified investment in Montana, as long as such investment does not exceed 25% of the capital base of the capital company.

(6) "Qualified Montana capital company" means a certified Montana capital company that has been designated a qualified capital company under the provisions of 90-8-202 so that investors in the company may receive the tax credits authorized in 90-8-202."

NEW SECTION. Section 45. Repealer. Sections 15-30-103, 15-30-105, 15-30-108, 15-30-110 through 15-30-117, 15-30-121 through 15-30-123, 15-30-125, 15-30-126, 15-30-131, 15-30-132, 15-30-135 through 15-30-137, 15-30-142, 15-30-143, 15-30-156, 15-30-157, 15-32-109, and 15-32-201 through 15-32-203, MCA, are repealed.

NEW SECTION. Section 46. Codification instruction — instruction to code commissioner. (1) [Sections 7 through 11] are intended to be codified as an integral part of Title 15, chapter 30, part 1, and the provisions of Title 15, chapter 30, part 1, apply to [sections 7 through 11].

(2) The code commissioner is instructed to make changes throughout the Montana Code Annotated to reflect the change in definition of "Internal Revenue Code" in 15-30-101.

NEW SECTION. Section 47. Saving clause. [This act] does not affect rights and duties that matured, penalties that were incurred, or proceedings that were begun before [the effective date of this act].

NEW SECTION. Section 48. Coordination. If [this act] and House Bill No. 759 are both passed and approved, the appropriation in House Bill No. 759 is from the portion of the income and earnings of the coal severance tax funds allocated to the general fund as provided in 17-5-704 as amended by [this act]."

Renumber: subsequent sections

15. Page 29, line 18.

Following: "date"

Insert: "— retroactive applicability"

Following: "."

Insert: "(1)"

16. Page 29, line 19.

Strike: "July 1, 1989"

Insert: "on passage and approval and [sections 1 through 24, 27 through 38, and 40 through 45] apply retroactively within the meaning of 1-2-109, to tax years beginning after December 31, 1988.

(2) [This act] applies to all income tax revenue and coal severance tax revenue recorded on or after [the effective date of this act], regardless of when the tax obligation accrued."

And, as amended, be concurred in. Report adopted.

MOTIONS

Representative Harrington moved the House dissolve the conference committee on HB 28 and the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to consider Senate amendments to HB 28. Motion carried.

Speaker Vincent appointed the following members:

Representative Harrington, Chairman
Representative Driscoll
Representative Smith

Representative Harper moved the rules be suspended to add the following sponsors to HB 754: Marks, Iverson, and Grady.

Motion carried.

SPECIAL ORDERS OF THE DAY

The following sponsors were added to HB 754: Marks, Iverson, Grady.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved the House adjourn until 1:30 p.m., Wednesday, April 12, 1989.

Motion carried.

House adjourned at 4:05 p.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

EIGHTY-SECOND LEGISLATIVE DAY

Helena, Montana
April 12, 1989

House Chambers
State Capitol

House convened at 1:40 p.m., Mr. Speaker in the Chair. Invocation by Representative Johnson. Pledge of Allegiance to the Flag.

Roll call. All members present except Compton, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

4/12/89

Correctly printed: HB 795, HJR 38, HJR 39, HJR 41.

Correctly engrossed: SB 410, SB 458.

ADVERSE COMMITTEE REPORT

SB 463 - Representative Harrington moved the 4/11/89 adverse committee report on SB 463 be adopted. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rice, Roth, Russell, Schye, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Cobb, Giacometto, Gould, Hannah, Rehberg, Simpkins.

Total 6

Excused: Compton.

Total 1

Absent or not voting: Hoffman, Simon.

Total 2

REPORTS OF SELECT COMMITTEES

Conference Committee

on House Bill 734

Report No. 1, April 11, 1989

Mr. President and Mr. Speaker:

We, your Conference Committee on House Bill 734 met and considered:

House Bill 734 (third reading — blue copy) and the amendments to House Bill 734 adopted by the Senate (pink sheet).

We recommend that House Bill 734 (reference copy — salmon) be amended as follows:

1. Title, page 2, line 6.

Following: "33-18-401,"

Insert: "33-18-401,"

2. Page 18.

Following: line 4

Insert: "(e) insurance producer's license:

- (i) application for original license, including issuance of license, if issued.....15.00
- (ii) appointment of insurance producer, each insurer.....10.00
- (iii) temporary license.....15.00
- (iv) amendment of license (excluding additions to license) or reissuance of master license.....15.00"

Renumber: subsequent subsections

3. Page 18.

Following: line 13

Insert: "appointment of insurance producer, each insurer10.00"

4. Page 18, line 14.

Following: "(iv)"

Insert: "(iii)"

Renumber: subsequent subsection

5. Page 18, line 15.

Strike: "40.00"

Insert: "10.00"

6. Page 86.

Following: line 1

Insert: "Section 60. Section 33-18-401, MCA, is amended to read:

"33-18-401. False ~~applications, claims application, claim, and proofs~~ proof of loss — criminal penalty. Any solicitor, agent (1) An insurance producer, examining physician, applicant, or other person who knowingly or willfully makes ~~any~~ a false or fraudulent statement or representation in or with reference to ~~any an~~ application for insurance ~~or, for the purpose of obtaining any money or benefit, knowingly or willfully presents or causes to be presented a false or fraudulent claim or any proof in support of such a claim for the payment of the loss upon a contract of insurance or prepares, makes, or subscribes a false or fraudulent account, certificate, affidavit or proof of loss, or other document or writing, with intent that the same may be presented or used in support of such a claim, shall be~~ is guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than \$250 or more than \$1,000 or by imprisonment in the county jail for not less than 3 months or more than 6 months or both such fine and imprisonment at the discretion of the court.

(2) An insurance producer, examining physician, applicant, or other person who, for the purpose of obtaining any money or benefit, knowingly or willfully presents or causes to be presented a false or fraudulent claim or any proof in support of such a claim for the payment of the loss upon a contract of insurance or prepares, makes, or subscribes a false or fraudulent account, certificate, affidavit or proof of loss, or other document or writing, with intent that the same may be presented or used in support of such a claim, is guilty of a crime under 45-6-301, and a county attorney may initiate criminal proceedings against him."

Renumber: subsequent sections

And this Conference Committee Report be adopted.

For the Senate:

Thayer, Chairman
Noble
Williams

For the House:

Cody
Hansen
Thomas

Report adopted.

Conference Committee
on Senate Bill 296
Report No. 1, April 11, 1989

Mr. President and Mr. Speaker:

We, your Conference Committee on Senate Bill 296 met and considered:

The House Committee on State Administration amendments to third reading copy dated March 16, 1989.

We recommend that:

House amendments Nos. 1 and 3 be accepted;

House amendments Nos. 4 and 5 be rejected;

House amendment No. 2 be accepted, except that "ANNOUNCED" should not be stricken; and

that SB 296 (reference copy — salmon) be amended as follows:

1. Page 1, line 19.

Following: "ANNOUNCED"

Insert: "announced"

2. Page 2, line 23.

Following: "PRACTICAL,"

Insert: ", if possible and practical,"

3. Page 2, line 25.

Following: "SITE"

Insert: "announced on site"

And this Conference Committee Report be adopted.

For the Senate:

Hager, Chairman
Himsl
Jacobson

For the House:

J. Brown
Squires
Roth

Report adopted.

Free Conference Committee
on Senate Bill 427
Report No. 1, April 9, 1989

Mr. President and Mr. Speaker:

We, your Free Conference Committee on Senate Bill 427 considered and recommend House Committee on State Administration amendments to SB 427 and (reference copy — salmon) be amended as follows:

House amendments Nos. 1 and 2 be accepted;

House amendment No. 3 be rejected; and

1. Title, line 7.

Following: "SECTIONS"

Strike: "2-8-203"

Insert: "2-8-202"

2. Page 1, line 12.

Following: line 11

Insert: "Section 1. Section 2-8-202, MCA, is amended to read:

"2-8-202. Definitions. In this part, the following definitions apply:

(1) "Applicant" means the persons or organization proposing state licensing for an occupation or profession.

(2) "Committee" means the legislative audit committee.

(3) "License" means a permit, certificate, approval, registration, charter, or other form of permission required by law as a condition of practicing a profession or occupation.

(4) "Licensing" means a regulatory process that includes but is not limited to the grant, denial, renewal, revocation, suspension, annulment, withdrawal, limitation, transfer, or amendment of a license.

(5) "Licensing board" means an office, position, commission, or any other entity or instrumentality of the executive branch of state government that is responsible for licensing members of an occupation or profession.

(6) "Occupation" or "profession" means a trade in which a person or organization provides human health-related services."

Renumber: subsequent sections

3. Page 8, line 22.

Strike: "\$2,000"

Insert: "\$1,000"

And this Free Conference Committee report be adopted.

For the Senate:

Rasmussen, Chairman

Himsl

Jacobson

For the House:

Harper

J. Brown

R. Nelson

Report adopted.

MESSAGES FROM THE GOVERNOR

John Vincent

Speaker of the House

Montana House of Representatives

State Capitol

Helena, Montana 59620

April 12, 1989

Dear Representative Vincent:

Please be informed that I have signed House Bills 295, 318, 332, 349, 350, 367, 455, 458, 518, 542, 576, 577, 597, and 671 on April 11, 1989.

Sincerely,

STAN STEPHENS

Governor

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, Montana 59620

April 11, 1989

The Honorable Jack Galt
President of the Senate
State Capitol
Helena, Montana 59620

Dear Representative Vincent and Senator Galt:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby make the following line item veto to House Bill 401, "AN ACT AUTHORIZING THE DEPARTMENT OF INSTITUTIONS TO PERMIT PROBATION AND PAROLE OFFICERS TO CARRY FIREARMS; REQUIRING THE DEPARTMENT TO ADOPT RULES CONCERNING CARRYING OF FIREARMS; PERMITTING A PROBATION AND PAROLE OFFICER TO CARRY A CONCEALED WEAPON; APPROPRIATING MONEY FOR TRAINING, SUPPLIES, AND EQUIPMENT; AMENDING SECTIONS 45-8-317 AND 46-23-1002, MCA; AND PROVIDING AN EFFECTIVE DATE."

I specifically disapprove and object to several line item appropriation amounts contained in Section 3, Appropriation, found on page 3 of the Enrolled Bill presented to the Governor. These appropriation items are as follows:

1. I line item veto money appropriated to:

Training	FY 1990	FY 1991
	\$14,586	\$ 1,729

My line item veto reduces the amounts as follows:

FY 1990	FY 1991
-0-	-0

2. I line item veto money appropriated to:

Supplies	FY 1990	FY 1991
	\$ 1,233	\$ 1,337

My line item veto reduces the amounts as follows:

FY 1990	FY 1991
-0-	-0

3. I line item veto money appropriated to:

Equipment	FY 1990
	\$11,600

My line item veto reduces the amounts as follows:

FY 1990
-0-

TOTAL APPROPRIATION	FY 1990	FY 1991
	-0-	-0

Pursuant to Section 5-4-309, MCA, and Article VI, Section 10, Montana Constitution, I sign House Bill 401 and append to House Bill 401 at the

time of my signing this statement of the appropriation items to which I object and my objections thereto.

The bill authorizing the Department of Institutions to permit parole and probation officers to carry firearms within certain restrictions is acceptable. I will direct the Department of Institutions to examine existing resources within its approved budget to appropriately carry out any necessary training.

I exercise this line item veto with the realization that the legislature has been unable to cut spending. Where it is within my powers, through the use of a line item veto, I believe that further spending limitations must occur so as to bring this budget in line with what our state can presently afford.

Sincerely,

STAN STEPHENS
Governor

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, Montana 59620

April 11, 1989

The Honorable Jack Galt
President of the Senate
State Capitol
Helena, Montana 59620

Dear Representative Vincent and Senator Galt:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby make the amendatory veto to House Bill 432, "AN ACT TO CLARIFY THAT A SCHOOL DISTRICT IS AUTHORIZED TO IDENTIFY AND SERVE GIFTED AND TALENTED CHILDREN IN COMPLIANCE WITH SCHOOL ACCREDITATION STANDARDS ADOPTED BY THE BOARD OF PUBLIC EDUCATION; AND AMENDING SECTION 20-7-902, MCA." This amendatory veto is made for the following reasons.

Presently, Section 20-7-902, MCA, allows a school district the opportunity to identify gifted and talented children and to devise programs to serve the needs of those children. This is a local control issue. Boards of trustees now have the necessary discretion to adopt these new programs within the limits of their budget.

House Bill 432, in its present form, erodes local community control of school district programs and centralizes decision-making to the state government without legislative participation. Passage of House Bill 432 would require that if a school district adopted a gifted and talented program, it would have to meet standards set down by the Board of Public Education. If the district was not able to conform to those standards, the district would have no choice but to discontinue the program. Further, accreditation standards have serious financial statewide implications. Resolution of the cost and payment of education must remain with the elected representatives in the Montana Legislature and this Governor. See Article X, Sec. 1, Montana Constitution.

Article X, Section 8 of the Montana Constitution recognizes that the authority to govern and supervise schools rests with the board of trustees. A compelling public policy interest has not been demonstrated to me to

shift control of these programs from the local school board to the State Board of Public Education without legislative participation.

Further, in light of the recent school equalization decision in Helena Elementary School District Number One, et al. v. State of Montana, et al., fundamental concerns are raised regarding the ability of the state to pay for any new mandated programs.

As a result of this case, accreditation standards have been linked to state financial responsibility. As you are so painfully aware, education costs that have been shifted to the state, and thus to Montana taxpayers are burdensome and complex. I cannot permit a potential establishment of new programs and additional costs to be imposed on the state in light of the financial burdens our state now faces in appropriately funding the education programs we now have without your full participation.

My amendatory veto will allow gifted and talented programs to continue in our state's public educational system and maintain local school board control. It will also reconfirm the legislature's vital role in setting forth budget priorities and expenditures.

I urge your concurrence in this amendment.

Governor's Amendments to HB 432

1. Title, page 1, line 9.

Following: "EDUCATION"

Insert: "and approved by the legislature"

2. Page 1, line 17.

Following: "them"

Insert: "."

3. Page 1, line 17.

Following: "to serve them."

Insert: "In the event the Board of Public Education adopts and implements standards of accreditation for a gifted and talented program, a school district's compliance with those standards is contingent upon the standards receiving prior authorization and approval by an affirmative legislative act."

4. Page 1, line 17.

Strike: "in"

5. Page 1, lines 20 and 21.

Strike: lines 20 and 21 in their entirety

Sincerely,

STAN STEPHENS
Governor

MOTIONS

Representative DeMars moved the House override the Governor's veto on HB 616. Motion failed. (53-45)

Representative Cocchiarella moved the conference committee report on SB 95 be taken from second reading this legislative day and rereferred to the conference committee. Motion carried.

Representative Harper moved the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 100. Motion carried.

Speaker Vincent appointed the following members:

Representative Spaeth, Chairman
Representative Bradley
Representative Thoft

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Hannah in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HJR 40 - Representative Bradley moved HJR 40 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Compton.

Total 1

Absent or not voting: None.

Total 0

HB 57 - Representative Marks moved the free conference committee report on HB 57 be adopted.

Representative McDonough made a substitute motion the free conference committee report be not adopted. Motion carried as follows:

Ayes: Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Gervais, Good, Hansen, Harper, Harrington, Johnson, Kadas, Kilpatrick, Kimberley, Koehnke, McCormick, McDonough, Menahan, Moore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Ramirez, Raney, Ream, Russell, Schye, Simon, Spaeth, Squires, Steppler, Strizich, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 50

Noes: Aafedt, Addy, Boharski, Campbell, Clark, Cobb, Compton, DeBruycker, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Iverson, Kasten, Keller, Knapp, Lee, Marks, Mercer, R. Nelson, Owens, Patterson,

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Pavlovich, Peterson, Phillips, Quilici, Rehberg, Rice, Roth, Simpkins, Smith, Spring, Stang, Stickney, Swift, Swysgood, Thoft, Thomas, Wallin, Zook.

Total 49

Paired: McDonough, Aye; Compton, No.

Excused: None.

Total 0

Absent or not voting: O'Connell.

Total 1

SB 368 - Representative Gilbert moved SB 368 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Stang, Stepler, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: Bardanoue, Elliott, Hansen, Harper, Harrington, Kilpatrick, Nisbet, O'Keefe, Squires, Stickney, Whalen.

Total 11

Excused: Compton.

Total 1

Absent or not voting: Bradley.

Total 1

SB 431 - Representative Strizich moved SB 431 be concurred in.

Representative Rice made a substitute motion to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative Rice moved SB 431, third reading copy, be amended as follows:

1. In the House Judiciary Committee report amendment No. 62 (green sheet — page 8) amend the insert as follows:

Following: "indicated." on line 6 of the amendment

Insert: "The player shall remain on the house premises until the card is played or withdrawn."

Retain: the sentence beginning "The caller shall"

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanoue, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick,

McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rice, Roth, Russell, Simon, Simpkins, Smith, Spring, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: Harrington.

Total 1

Excused: Compton.

Total 1

Absent or not voting: Blotkamp, Cody, Giacometto, Grady, Kadas, Nisbet, Patterson, Rehberg, Schye, Spaeth, Stepler.

Total 11

Representative Rice moved SB 431, third reading copy, be amended.
Amendment failed. (35-58)

Representative Davis excused at this time.

Representative Boharski moved SB 431, third reading copy, be amended.

Representative D. Brown moved the amendment be divided.

Thereupon, amendment 1 failed. (29-66)

Thereafter, amendments 2 and 3 failed. (31-64)

Thereafter, Representative Boharski withdrew amendments 4, 5, and 6.

Representative Simon moved SB 431, third reading copy, be amended as follows:

1. Page 44, line 24.

Following: "~~machines~~."

Insert: "(3) Machines on premises licensed to sell alcoholic beverages for consumption on the premises must be placed in the room, area, or other part of the premises in which the alcoholic beverages are sold and normally consumed."

Amendment passed as follows:

Ayes: Bardanouve, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cohen, Daily, Davis, DeMars, Elliott, Ellison, Eudaily, Gilbert, Glaser, Good, Grinde, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, Moore, R. Nelson, T. Nelson, O'Keefe, Peck, Peterson, Ramirez, Rice, Russell, Simon, Simpkins, Spaeth, Spring, Stepler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.

Total 59

Noes: Aafedt, Addy, Bachini, Blotkamp, D. Brown, Campbell, Cocchiarella, Cody, Connelly, Darko, DeBruycker, Driscoll, Gervais, Giacometto, Gould, Grady, Guthrie, Harrington, Marks, McDonough, Menahan, Mercer, L. Nelson, Nisbet, O'Connell, Owens, Patterson, Phillips, Quilici, Raney, Ream, Rehberg, Roth, Schye, Smith, Squires, Stang, Swysgood.

Total 38

Excused: Compton.

Total 1

Absent or not voting: Pavlovich, Wyatt.

Total 2

Representative Simon excused at this time.

Thereupon, SB 431, as amended, was concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Boharski, Campbell, Gilbert, Glaser, Harrington, Hayne, Ramirez, Swysgood, Thoft.

Total 9

Paired: Simon, Aye; Ramirez, No.

Excused: Compton.

Total 1

Absent or not voting: None.

Total 0

SB 468 - Representative Driscoll moved SB 468 be concurred in.

Representative Driscoll made a substitute motion to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative Driscoll moved SB 468, third reading copy, be amended as follows:

The House Standing Committee Report dated April 11, 1989, is amended as follows:

1. Page 3, section 3, amending 13-37-218.

Following: "committees."

Insert: "(1)"

Following: "~~rule.~~"

Insert: "The limitations contained in this section must be multiplied by the inflation factor in subsection (2) for the year in which general elections are held. The resulting figure must be rounded off to the nearest \$50 increment. The commissioner of political practices shall publish the revised limitations as a rule."

Following: "601."

Insert: "(2) For purposes of this section, 'inflation factor' means a number determined by dividing the consumer price index for June of the election year by the consumer price index for June, 1980."

2. Page 8, section 7, subsection (2).

Following: "deductions"

Insert: "to the extent the income is included in federal adjusted taxable income"

Amendment passed as follows:

Ayes: Addy, Bachini, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Gervais, Giacometto, Grady, Hansen, Harper, Harrington, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough, Menahan, Moore, L. Nelson, R. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, Rehberg, Rice, Russell, Schye, Simpkins, Smith, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Swift, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.
Total 62

Noes: Aafedt, Boharski, Campbell, Clark, Cobb, DeBruycker, Ellison, Eudaily, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Iverson, Kasten, Lee, Marks, Mercer, T. Nelson, Owens, Peterson, Phillips, Ramirez, Roth, Spring, Swysgood, Thoft, Thomas, Zook.
Total 34

Excused: Compton, Simon.
Total 2

Absent or not voting: Bardanouve, Patterson.
Total 2

Representative R. Nelson moved SB 468, third reading copy, be amended. Amendment failed. (33-66)

Representative Quilici moved SB 468, third reading copy, be amended as follows:

Amend the Standing Committee Report, dated April 11, 1989, of the House Taxation Committee on Senate Bill 468 as follows:

1. Amendment No. 2.

Following: "PENSIONS;"

Insert: "IMPOSING A SURTAX ON INDIVIDUAL INCOME TAX LIABILITY FOR TAXABLE YEARS 1989 AND 1990;"

2. Amendment No. 14

Following: section 48

Insert: "NEW SECTION. Section 49. Surtax. In addition to the tax liability due under [sections 7 through 11], each person filing a Montana individual income tax return shall add as a surtax 8% of the tax liability, and the amount of tax liability determined to be due under [sections 7 through 11] plus the surtax is the amount due the state."

3. Amendment No. 14.

Codification instruction, in subsection (1) where the words "[S(s)ections 7 through 11]" appear, revise the references to read, "[S(s)ections 7 through 11 and 49]".

4. Amendment No. 15.

Following: "— retroactive applicability,"

Insert: "— termination."

5. Amendment No. 16.

Following: "December 31, 1988." at the end of subsection (1),

Insert: new subsections (2) and (3) as follows:

“(2) [Section 49] is effective on passage and approval and applies retroactively, within the meaning of 1-2-109, to taxable years beginning after December 31, 1988, and ending prior to January 1, 1991. It is intended that the surtax apply to tax liabilities for all of taxable years 1989 and 1990, regardless of when the tax liability or the surcharge is calculated.

(3) [Section 49] terminates January 1, 1991. It is intended that the surtax apply to tax liabilities for all of taxable years 1989 and 1990, regardless of when the tax liability or the surcharge is calculated.”

Renumber: subsequent subsection

Amendment passed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Gervais, Hansen, Harper, Harrington, Johnson, Kadas, Kilpatrick, Kimberley, Koehnke, McCormick, McDonough, Menahan, Moore, L. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, Russell, Schye, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 53

Noes: Aafedt, Boharski, Campbell, Clark, Compton, DeBruycker, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Iverson, Kasten, Keller, Knapp, Lee, Marks, Mercer, R. Nelson, T. Nelson, Owens, Patterson, Peterson, Phillips, Ramirez, Rehberg, Rice, Roth, Simon, Smith, Spring, Swift, Swysgood, Thoft, Thomas, Wallin, Zook.

Total 46

Paired: Kadas, Spaeth, Ayes; Compton, Simon, Noes.

Excused: None.

Total 0

Absent or not voting: Simpkins.

Total 1

Representative Phillips moved SB 468, third reading copy, be amended as follows:

1. Page 2, first insert [title No. 4].
Following: “15-30-110 THROUGH”
Insert: “15-30-115,”

2. Page 28, section 45.
Following: “15-30-110 through”
Insert: “15-30-115,”

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cody, Cohen, Compton, Connelly, Daily, Darko, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith,

Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.
Total 89

Noes: Blotkamp, Brooke, Cocchiarella, Davis, Driscoll, Kadas, McDonough, Moore, Nisbet, Wyatt.
Total 10

Paired: Compton, Simon, Ayes; Driscoll, Nisbet, Noes.

Excused: None.
Total 0

Absent or not voting: Ream.
Total 1

Representative Simon present at this time.

Representative Schye moved SB 468, third reading copy, be amended as follows:

The House Taxation Standing Committee Report dated April 11, 1989, is Amended as Follows:

1. Page 1, amendment No. 2.

Following: "PENSIONS;"

Insert: "TO REQUIRE QUARTERLY ESTIMATED PAYMENTS BY ALL TAXPAYERS SUBJECT TO CORPORATE LICENSE OR INCOME TAX WHO HAVE ANNUAL STATE TAX LIABILITIES IN EXCESS OF \$5,000; TO PROVIDE FOR PENALTIES FOR UNDERPAYMENT;"

2. Page 1, amendment No. 2.

Following: "15-30-323,"

Insert: "15-31-101,"

Following: "15-31-202,"

Insert: "15-31-502,"

3. Page 14 of the standing committee report.

Following: Section 15

Insert: "Section 16. Section 15-31-101, MCA, is amended to read:

"15-31-101. Organizations subject to tax. (1) The term "corporation" includes associations, joint-stock companies, common-law trusts and business trusts which do business in an organized capacity, and all other corporations whether created, organized, or existing under and pursuant to the laws, agreements, or declarations of trust of any state, country, or the United States.

(2) The terms "engaged in business" and "doing business" both mean actively engaging in any transaction for the purpose of financial or pecuniary gain or profit.

(3) Except as provided in 15-31-103 or 33-2-705(4) or as may be otherwise specifically provided, every corporation engaged in business in the state of Montana shall annually pay to the state treasurer as a license fee for the privilege of carrying on business in this state such percentage or percentages of its total net income for the preceding taxable year at the rate hereinafter set forth. In the case of corporations having income from business activity which is taxable both within and without this state, the license fee shall be measured by the net income derived from or attributable to Montana

sources as determined under part 3. This Except as provided in 15-31-502, this tax is due and payable on the 15th day of the 5th month following the close of the taxable year of the corporation; however, the tax becomes a lien as provided in this chapter on the last day of the taxable year in which the income was earned and is for the privilege of carrying on business in this state for the taxable year in which the income was earned.

(4) Every bank organized under the laws of the state of Montana, of any other state, or of the United States and every savings and loan association organized under the laws of this state or of the United States is subject to the Montana corporation license tax provided for under this chapter. For taxable years beginning on and after January 1, 1972, this subsection is effective in accordance with Public Law 91-156, section 2 (12 U.S.C. 548).”

Renumber: subsequent sections

4. Page 17 of the standing committee report.

Following: Section 18, amending 15-31-202

Insert: “Section 19. Section 15-31-502, MCA, is amended to read:

“15-31-502. Assessment and payment of tax, ~~penalty, and interest~~ — estimated tax payment. (1) All taxpayers shall compute the amount of tax payable under this chapter and shall remit ~~such the~~ amount to the department of revenue on or before the 15th day of the 5th month following the close of the taxable period. ~~If the tax is not paid on or before the due date, there shall be assessed a penalty of 10% of the amount of the tax unless it is shown that the failure was due to reasonable cause and not due to neglect. If any tax due under this chapter is not paid when due, by reason of extension granted or otherwise, interest shall be added thereto at the rate of 12% per annum from the due date until paid.~~

(2) Each corporation shall make estimated tax payments if its estimated tax can reasonably be expected to be \$5,000 or more annually. The estimated payments must be made in installments as follows:

(a) If the \$5,000 threshold is met or exceeded:

The following percentages of the estimated tax must be paid on the 15th day of the applicable months:

	<u>4th</u> <u>month</u>	<u>6th</u> <u>month</u>	<u>9th</u> <u>month</u>	<u>12th</u> <u>month</u>
<u>Before the 1st day of the 4th month of the taxable year:</u>	<u>25%</u>	<u>25%</u>	<u>25%</u>	<u>25%</u>
<u>After the last day of the 3rd month and before the 1st day of the 6th month of the taxable year:</u>		<u>33 1/3%</u>	<u>33 1/3%</u>	<u>33 1/3%</u>
<u>After the last day of the 5th month and before the 1st day of the 9th month of the taxable year:</u>			<u>50%</u>	<u>50%</u>
<u>After the last day of the 8th month and before the 12th month of the taxable year:</u>				<u>100%</u>

(b) If after paying any installment of estimated tax the taxpayer makes a new estimate, the amount of each installment, if any, is the

amount that would have been paid if the new estimate had been made when the first estimate for the taxable year was made, increased or decreased, as the case may be, by the amount computed by dividing:

(i) the difference between:

(A) the amount of estimated tax required to be paid before the date on which the new estimate was made; and

(B) the amount of estimated tax that would have been required to be paid before that date if the new estimate had been made when the first estimate was made;

(ii) by the number of installments remaining to be paid on or after the date on which the new estimate was made.

(c) The application of this section to taxable years of less than 12 months must be in accordance with regulations prescribed by the department.

(d) At the election of the corporation, any installment of the estimated tax may be paid before the date prescribed for its payment.””

Renumber: subsequent sections

5. Page 28 of the standing committee report.

Following: Section 44, amending 90-8-104

Insert: “NEW SECTION. Section 47. Estimated payments — tax returns — penalties — interest. (1) For corporations failing to make estimated payments according to the schedule provided in 15-31-502(2), there is assessed a 20% per year underpayment penalty calculated as follows:

(a) For purposes of this subsection, the amount of underpayment is in excess of the amount of the installment that would be required to be paid if the estimated tax were equal to 80% of the tax shown on the return for the taxable year or, if no return was filed, 80% of the tax for the year over the amount, if any, of the installment paid on or before the last date prescribed for payment.

(b) Notwithstanding the provisions of subsection (1)(a), the penalty with respect to an underpayment of any installment may not be imposed if the total amount of all payments of estimated tax made on or before the last date prescribed for the payment of the installment equals or exceeds the amount that would have been required to be paid on or before that date if the estimated tax were the lesser of the following:

(i) the tax shown on the return of the corporation for the preceding taxable year if a return showing a liability for tax was filed for the preceding taxable year and the preceding year was a taxable year of 12 months;

(ii) an amount equal to the tax computed at the rates applicable to the taxable year, but otherwise on the basis of the facts shown on the return of the corporation for, and the law applicable to, the preceding taxable year; or

(iii) an amount equal to 80% of the tax for the taxable year, computed by placing on an annualized basis the taxable income:

(A) for the first 3 months of the taxable year in the case of the installment required to be paid in the 4th month;

(B) for the first 3 months or for the first 5 months of the taxable year in the case of the installment required to be paid in the 6th month;

(C) for the first 6 months or for the first 8 months of the taxable year in the case of the installment required to be paid in the 9th month; and

(D) for the first 9 months or for the first 11 months of the taxable year in the case of the installment required to be paid in the 12th month of the taxable year.

(c) For purposes of subsection (1)(b)(iii), the taxable income must be placed on an annualized basis by:

(i) multiplying by 12 the taxable income referred to in subsection (1)(b)(iii); and

(ii) dividing the resulting amount by the number of months in the taxable year (3, 5, 6, 8, 9, or 11, as the case may be) referred to in subsection (1)(b)(iii).

(d) Notwithstanding subsections (1)(a) through (1)(c), the penalty with respect to an underpayment of any installment may not be imposed if the total amount of all payments of estimated tax made on or before the last date prescribed for the payment of the installment equals or exceeds 80% of the amount determined under subsection (1)(e).

(e) To determine the amount under this subsection for any installment:

(i) take the taxable income for all months during the taxable year preceding the filing month;

(ii) divide the amount by the base period percentage for all months during the taxable year preceding the filing month;

(iii) determine the tax on the amount calculated under subsection (1)(e)(ii); and

(iv) multiply the tax computed under subsection (1)(e)(iii) by the base period percentage for the filing month and all months during the taxable year preceding the filing month.

(f) For purposes of this subsection (1):

(i) the base period percentage for any period of months is the average percentage that the taxable income for the corresponding months in each of the 3 preceding taxable years bears to the taxable income of the 3 preceding years;

(ii) the term "filing month" means the month in which the installment is required to be paid;

(iii) this subsection (1) applies only if the base period percentage for any 6 consecutive months of the taxable year equals or exceeds 70%; and

(iv) the department may by rule provide for the determination of the base period percentage in the case of reorganizations, new corporations, and other similar circumstances.

(2) If the tax for any corporation is not paid on or before the due date of the return as provided in 15-31-111(2), there is assessed a penalty of 10% of the amount of the tax due, unless it is shown that the failure was due to reasonable cause and not to neglect.

(3) If any tax due under this chapter is not paid when due, by reason of extension granted or otherwise, interest is added to the tax due at the rate of 12% a year from the due date until paid."

6. Page 28, the codification instruction.

Following: subsection (2)

Insert: "(3) [Section 47] is intended to be codified as an integral part of Title 15, chapter 31, part 5, and the provisions of Title 15, chapter 31, part 5, apply to [section 47]."

7. Page 28, the coordination section.

Following: "Coordination."

Insert: "(1)"

Following: "act]."

Insert: "(2) If House Bill 618 is passed and approved as amended by the Senate (reference copy), [sections 16, 19, and 47] of [this act] are void."

8. Page 28, amendment No. 16.

Strike: "24,"

Insert: "15, 17, 18, 20 through 26,"

Strike: "27"

Insert: "29"

Strike: "38, and"

Insert: "40,"

Strike: "40"

Insert: "42"

Strike: "45"

Insert: "46, and 48"

Following: "accrued."

Insert: "(3) [Sections 16, 19, and 47] apply to taxable years beginning after December 31, 1989."

Amendment passed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Gervais, Grady, Hansen, Harper, Harrington, Johnson, Kadas, Kilpatrick, Kimberley, Koehnke, McCormick, McDonough, Menahan, Moore, L. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, Rice, Russell, Schye, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 54

Noes: Aafedt, Boharski, Campbell, Clark, Cobb, Compton, DeBruycker, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Iverson, Kasten, Keller, Knapp, Lee, Marks, Mercer, R. Nelson, T. Nelson, Owens, Patterson, Peterson, Phillips, Ramirez, Rehberg, Roth, Simon, Simpkins, Smith, Spring, Swift, Swysgood, Thoft, Thomas, Wallin, Zook.

Total 46

Paired: Harrington, Aye; Compton, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Daily moved for cloture. Motion failed as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Gervais, Gilbert, Gould, Grady, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Koehnke, McCormick, McDonough, Menahan, Moore, L. Nelson, Nisbet, O'Connell, Owens, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, Russell, Schye, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Thoft, Wallin, Westlake, Wyatt, Mr. Speaker.

Total 60

Noes: Boharski, Campbell, Clark, Cobb, DeBruycker, Ellison, Eudaily, Giacometto, Glaser, Good, Grinde, Guthrie, Hannah, Hanson, Kasten, Keller, Knapp, Lee, Marks, Mercer, R. Nelson, T. Nelson, O'Keefe, Patterson, Phillips, Ramirez, Rehberg, Rice, Roth, Simon, Simpkins, Smith, Spring, Swift, Swysgood, Thomas, Whalen, Zook.

Total 38

Excused: Compton.

Total 1

Absent or not voting: Bardanouve.

Total 1

Thereupon, SB 468, as amended, was concurred in as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Gervais, Grady, Hansen, Harper, Harrington, Johnson, Kadas, Kilpatrick, Kimberley, Koehnke, McCormick, McDonough, Menahan, Moore, L. Nelson, Nisbet, O'Connell, Pavlovich, Peck, Quilici, Raney, Ream, Russell, Schye, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 53

Noes: Aafedt, Boharski, Campbell, Clark, Cobb, Compton, DeBruycker, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Iverson, Kasten, Keller, Knapp, Lee, Marks, Mercer, R. Nelson, T. Nelson, Owens, Patterson, Peterson, Phillips, Ramirez, Rehberg, Rice, Roth, Simon, Simpkins, Smith, Swift, Swysgood, Thoft, Thomas, Wallin, Zook.

Total 46

Paired: Kadas, Aye; Compton, No.

Excused: None.

Total 0

Absent or not voting: O'Keefe.

Total 1

SB 470 - Representative Swysgood moved SB 470 be concurred in.
Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody,

Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Compton.

Total 1

Absent or not voting: O'Connell.

Total 1

SB 209 - Representative Spaeth moved the Governor's amendments to SB 209 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Cohen, Owens, Patterson, Simpkins, Whalen.

Total 5

Excused: Compton.

Total 1

Absent or not voting: O'Connell.

Total 1

SJR 19 - Representative Raney moved SJR 19 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, Owens, Patterson, Pavlovich, Peck, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler,

Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: Good, Guthrie, Hayne, O'Keefe, Peterson.
Total 5

Excused: Compton.
Total 1

Absent or not voting: Clark, Ellison, O'Connell.
Total 3

Representative Harper moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Hannah moved the adoption of the committee report. Report adopted. (54-44)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HJR 37 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: Compton, O'Connell.
Total 2

Absent or not voting: Guthrie.
Total 1

HJR 43 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Schye, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney,

Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Boharski, Gilbert, Kasten, Marks, Roth, Simon.

Total 6

Excused: Compton, O'Connell.

Total 2

Absent or not voting: Gould.

Total 1

HB 26, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook.

Total 92

Noes: Bradley, Campbell, Daily, Spaeth, Mr. Speaker.

Total 5

Excused: Compton, O'Connell.

Total 2

Absent or not voting: Hoffman.

Total 1

HB 60, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Clark, Cobb.

Total 2

Excused: Compton, O'Connell.

Total 2

Absent or not voting: Grinde.

Total 1

HB 304, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Glaser, Gould, Grady, Hannah, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough, Menahan, Moore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Pavlovich, Peterson, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stepler, Stickney, Strizich, Swift, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 71

Noes: Bachini, Bardanouve, Bradley, Campbell, Clark, Cobb, Ellison, Gilbert, Good, Grinde, Guthrie, Hansen, Hanson, Hayne, Kasten, Lee, Marks, Mercer, R. Nelson, Patterson, Peck, Phillips, Spring, Stang, Swysgood, Thomas.

Total 26

Excused: Compton, O'Connell.

Total 2

Absent or not voting: Quilici.

Total 1

HB 543, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 85

Noes: Bardanouve, Campbell, Elliott, Ellison, Gilbert, Kasten, Lee, T. Nelson, Owens, Patterson, Peck, Phillips.

Total 12

Excused: Compton, O'Connell.

Total 2

Absent or not voting: Grinde.

Total 1

HB 583, Senate amendments, concurred in as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Hannah, Hanson, Harrington, Hoffman, Iverson, Johnson, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, Nisbet, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich,

Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook,
Mr. Speaker.

Total 82

Noes: Addy, Campbell, Cody, Connelly, Guthrie, Hansen, Harper, Hayne,
Kadas, Kasten, Koehnke, R. Nelson, T. Nelson, Peck, Ream, Spring.

Total 16

Excused: Compton, O'Connell.

Total 2

Absent or not voting: None.

Total 0

HB 619, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Good, Gould, Grady, Guthrie, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Schye, Simon, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 74

Noes: Boharski, Campbell, Cobb, DeBruycker, Giacometto, Glaser, Grinde, Hannah, Hayne, Kasten, Koehnke, Lee, Marks, R. Nelson, Owens, Patterson, Peck, Peterson, Phillips, Roth, Simpkins, Smith, Spring, Zook.

Total 24

Excused: Compton, O'Connell.

Total 2

Absent or not voting: None.

Total 0

HB 690, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 91

Noes: Brooke, Cody, Hoffman, Raney, Stang, Steppler, Zook.

Total 7

Excused: Compton, O'Connell.

Total 2

Absent or not voting: None.

Total 0

HB 754, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cohen, Connelly, Daily, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Patterson, Pavlovich, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Squires, Stepler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 81

Noes: Bachini, Campbell, Clark, Cody, Good, Grinde, Hayne, Koehnke, R. Nelson, Owens, Peck, Phillips, Smith, Spring, Stang, Swysgood.

Total 16

Excused: Compton, O'Connell.

Total 2

Absent or not voting: Darko.

Total 1

HB 774, Senate amendments, concurred in as follows:

Ayes: Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Marks, McCormick, McDonough, Mercer, Moore, T. Nelson, O'Keefe, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.

Total 76

Noes: Aafedt, Bardanouve, Cody, Driscoll, Elliott, Ellison, Eudaily, Good, Koehnke, Lee, Menahan, L. Nelson, R. Nelson, Nisbet, Owens, Peck, Raney, Stang, Stepler, Swysgood, Thoft, Wyatt.

Total 22

Excused: Compton, O'Connell.

Total 2

Absent or not voting: None.

Total 0

HB 595, Governor's amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet,

O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Compton, O'Connell.

Total 2

Absent or not voting: None.

Total 0

HB 165, conference committee report, adopted as follows:

Ayes: Aafedt, Addy, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Zook, Mr. Speaker.

Total 88

Noes: Bachini, Boharski, Campbell, Clark, Good, Grinde, O'Keefe, Peck, Thomas, Wyatt.

Total 10

Excused: Compton, O'Connell.

Total 2

Absent or not voting: None.

Total 0

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

4/12/89

Correctly engrossed: SB 368, SB 470.

Correctly enrolled: HB 1, HB 35, HB 125, HB 173, HB 227, HB 390, HB 391, HB 554, HB 555, HB 563, HB 588, HB 742, HR 2.

Examined by the sponsors and found to be correct:

HB 1 - Ramirez

HB 35 - Harrington

HB 125 - Harrington

HB 173 - R. Nelson

HB 227 - Harrington

HB 390 - Spaeth

HB 391 - Driscoll

HB 554 - Addy

HB 555 - Bardanouve

HB 563 - Spaeth

HB 588 - Menahan

HB 742 - Bradley

HR 2 - Vincent

LABOR AND EMPLOYMENT RELATIONS (Russell, Chairman): 4/12/89
HJR 44, do pass. Report adopted.

REPORTS OF SELECT COMMITTEES

Conference Committee
on House Bill 621
Report No. 1, April 11, 1989

Mr. President and Mr. Speaker:

We, your Conference Committee on House Bill 621 met and considered:

House Bill 621 (third reading — blue copy) and amendments to
HB 621 adopted by the Senate (pink sheet).

We recommend that House Bill 621 (reference copy — salmon) be
amended as follows:

1. Adopt the Senate amendments to HB 621 in their entirety

And this Conference Committee Report be adopted.

For the Senate:

Hager, Chairman
McLane
Lynch

For the House:

McDonough
Wyatt
T. Nelson

Report adopted.

Free Conference Committee
on Senate Bill 173
Report No. 1, April 10, 1989

Mr. President and Mr. Speaker:

We, your Free Conference Committee on Senate Bill 173, considered and
recommend SB 173 (reference copy — salmon) be amended as follows:

House amendments Nos. 1 through 8, 10, and 12 be rejected;

House amendments Nos. 9 and 11 be accepted; and

1. Title, line 6.

Strike: "OFFER A YEARLY"

Insert: "REQUIRE A TEMPORARY"

2. Title, line 7.

Following: "ALL"

Insert: "ALL"

3. Title, line 8.

Following: "ONLY"

Insert: "BY DELETING THE REQUIREMENT THAT PERMITS
MAY BE REQUIRED ONLY"

4. Title, line 9.

Following: "TEMPORARY"

Insert: "TEMPORARY"

5. Page 1, line 19.

Strike: "WITHIN THE COUNTY"

6. Page 1, lines 22 and 23.

Strike: "THAT" on line 22 through "LICENSED IN" on line 23

Insert: "other than"

7. Page 2, lines 3, 4, and 5.

Strike: "WITHIN THE COUNTY"

8. Page 2, line 24.

Strike: "COUNTY"

Insert: "Montana"

9. Page 4, line 3.

Following: "~~temporary~~"

Insert: "temporary"

10. Page 4, lines 6 and 7.

Strike: "IF" on line 6 through "MOTORBOATS" on line 7

And this Conference Committee Report be adopted.

For the Senate:

Bishop, Chairman

Anderson

Vaughn

For the House:

Darko

Pavlovich

Smith

Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:

4/12/89

HB 44, introduced by Mercer

HB 56, introduced by Whalen

HB 233, introduced by D. Brown

HB 526, introduced by Iverson

HB 552, introduced by T. Nelson

HB 709, introduced by Hanson

HB 761, introduced by Moore

HJR 14, introduced by Vincent

HJR 31, introduced by Westlake

HJR 33, introduced by Stickney

HJR 34, introduced by Stickney

HJR 35, introduced by Wallin

House bills concurred in as amended and returned to the House for concurrence in Senate amendments:

4/12/89

HB 663, introduced by J. Brown

HB 783, introduced by O'Keefe

HB 786, introduced by Addy

House bill not concurred in and returned to the House:

4/12/89

HB 12, introduced by Pavlovich

Senate bill passed and transmitted to the House for concurrence:

4/12/89

SJR 10, introduced by Halligan

The Senate, on 4/12/89, dissolved the conference committee on HB 28 and appointed a free conference committee to meet with a like committee from the House to confer on Senate amendments to HB 28.

President Galt appointed the following members:

Senator Aklestad, Chairman
Senator Devlin
Senator Lynch

The Senate, on 4/11/89, failed to concur in House amendments to SB 132 and appointed a conference committee, requesting the House appoint a like committee to confer on House amendments to SB 132.

President Galt appointed the following members:

Senator Hager, Chairman
Senator Crippen
Senator Mazurek

The Senate, on 4/11/89, failed to concur in House amendments to SB 209 and appointed a free conference committee, requesting the House appoint a like committee to confer on House amendments to SB 209.

President Galt appointed the following members:

Senator B. Brown, Chairman
Senator Jenkins
Senator Mazurek

The Senate, on 4/11/89, failed to concur in House amendments to SB 226 and appointed a free conference committee, requesting the House appoint a like committee to confer on House amendments to SB 226.

President Galt appointed the following members:

Senator Himsl, Chairman
Senator B. Brown
Senator Manning

The Senate, on 4/11/89, failed to concur in House amendments to SB 283 and appointed a free conference committee, requesting the House appoint a like committee to confer on House amendments to SB 283.

President Galt appointed the following members:

Senator Crippen, Chairman
Senator Thayer
Senator Van Valkenburg

The Senate, on 4/11/89, failed to concur in Governor's amendments to SB 315 and appointed a free conference committee, requesting the House appoint a like committee to confer on Governor's amendments to SB 315.

President Galt appointed the following members:

Senator Keating, Chairman
Senator Aklestad
Senator Rapp-Svrcek

The Senate, on 4/11/89, failed to concur in House amendments to SB 385 and appointed a free conference committee, requesting the House appoint a like committee to confer on House amendments to SB 385.

President Galt appointed the following members:

Senator Harp, Chairman
Senator Gage
Senator Van Valkenburg

The Senate, on 4/11/89, failed to concur in House amendments to SB 465 and appointed a conference committee, requesting the House appoint a like committee to confer on House amendments to SB 465.

President Galt appointed the following members:

Senator Harp, Chairman
Senator Devlin
Senator Pipinich

MESSAGES FROM THE GOVERNOR

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, Montana 59620

April 12, 1989

The Honorable Jack Galt
President of the Senate
State Capitol
Helena, Montana 59620

Dear Representative Vincent and Senator Galt:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby make the amendatory veto to House Bill 245, "AN ACT REQUIRING THE DEPARTMENT OF JUSTICE TO ISSUE NEW NUMBER PLATES FOR MOTOR VEHICLES BEGINNING JANUARY 1, ~~1991~~ ~~1990~~ 1991; REQUIRING ISSUANCE OF NEW NUMBER PLATES IN ~~1994~~ 1995; PROVIDING A FEE FOR ISSUANCE OF NEW NUMBER PLATES; EXTENDING UNTIL JULY 1, 1996, THE VALIDITY OF COMMEMORATIVE CENTENNIAL LICENSE PLATES; AMENDING SECTIONS 2-89-302, 61-3-321, AND 61-3-332, MCA, AND SECTION 5, CHAPTER 674, LAWS OF 1985; PROVIDING AN APPROPRIATIONS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE, ~~AND AN APPLICABILITY DATE, AND A TERMINATION DATE.~~" This amendatory veto is made for the following reasons.

House Bill 245 requires the issuance of license plates after January 1, 1991 and again after January 1, 1995. A compelling public policy interest has not been demonstrated to me for the requirement that this legislature project and mandate future issuances of license plates for January, 1995. I am not willing to saddle the state or future legislatures with costs that may not be necessary or affordable to the people of our state.

Therefore, I am requesting that the legislature delete the mandated reissuance of new license plates for January, 1995.

I urge your concurrence with this amendment.

Governor's Amendments to HB 245

1. Title, line 10.
Following: "1991;"
Strike: "REQUIRING"
2. Title, line 11.
Strike: "ISSUANCE OF NEW NUMBER PLATES IN 1995;"
3. Page 3, lines 3 and 4.
Strike: ":(A)"
4. Page 3, line 9.

Following: "that date"
Strike: "; AND"
Insert: "."

5. Page 3, lines 10 through 15.
Strike: lines 10 through 15 in their entirety

Sincerely,

STAN STEPHENS
Governor

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, Montana 59620

April 12, 1989

The Honorable Jack Galt
President of the Senate
State Capitol
Helena, Montana 59620

Dear Representative Vincent and Senator Galt:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby make the amendatory veto to House Bill 364, "AN ACT TO REQUIRE IMMUNIZATION OF STUDENTS ATTENDING PRESCHOOLS, VOCATIONAL-TECHNICAL CENTERS, COLLEGES, AND UNIVERSITIES; TO INCLUDE MUMPS IN THOSE DISEASES THAT REQUIRE IMMUNIZATION PRIOR TO A STUDENT'S ATTENDANCE IN A SCHOOL OTHER THAN A POSTSECONDARY SCHOOL; TO ELIMINATE THE RIGHT OF A STUDENT TO BE EXEMPT FROM IMMUNIZATION ON PERSONAL OR RELIGIOUS GROUNDS; TO REQUIRE THAT A RELIGIOUS EXEMPTION BE REASSERTED ANNUALLY BY AFFIDAVIT, SUBJECT TO A PENALTY FOR PERJURY; TO REMOVE THE LIMIT ON THE LENGTH OF TIME THAT A STUDENT MAY BE EXCLUDED FROM SCHOOL DURING A DISEASE OUTBREAK IF THE STUDENT IS EXEMPT FROM IMMUNIZATION REQUIREMENTS; TO DELETE THE 30-DAY GRACE PERIOD FOR TRANSFER PUPILS; TO REQUIRE A SCHOOL TO RELEASE IMMUNIZATION RECORDS OF A TRANSFERRING PUPIL; AMENDING SECTIONS 20-5-402, THROUGH 20-5-405, AND 20-5-408, MCA; AND PROVIDING AN EFFECTIVE DATE." This amendatory veto is made for the following reasons.

The current statutes requiring immunization of school children (Title 20, Chapter 5, Part 4, MCA), include, in Section 20-5-405, MCA, a provision that gives both local health officers and the Montana Department of Health and Environmental Sciences the authority to exclude an immunization-exempt student from school for the period during which she/he either has or is in danger of being exposed to a disease against which she/he is not immunized. House Bill 364, which amends the above immunization statutes, inadvertently shifts that authority from the State Department of Health and Environmental Sciences to local health departments, authority that local health departments in effect already have since local health officers head local health departments.

The technical error is a result of an attempt to improve and clarify the definition of "local health officer or department" in Section 20-5-402,

MCA, [Section 1 of HB 364] by separately defining "local health department" and "local health officer" instead of combining them together in the same definition. Section 20-5-405, MCA, [Section 4 of HB 364] contained a phrase — "local health officer or the department" (emphasis added) — which was almost identical to the phrase in the definitions that was being amended, so the drafter inserted "local health" in front of "department" in a mistaken attempt to conform the phrase to the editing amendments to the definitions. This technical flaw was overlooked through the legislative process. "The" department, however, refers to the Department of Health and Environmental Sciences, which should continue to have the authority to take the emergency action described above.

Therefore, I respectfully request that the Legislature rectify the error by adopting my proposed amendment.

Governor's Amendment to HB 364

1. Page 7, line 15.

Strike: "local health"

Sincerely,

STAN STEPHENS

Governor

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following Senate bill was introduced, read first time, and referred to committee:

SJR 10, introduced by Halligan, referred to Committee on Rules

MOTIONS

Representative Harper moved the rules be suspended to allow consideration of SB 431 and SB 468 on third reading on the 83rd legislative day. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved the House adjourn until 1:30 p.m., Thursday, April 13, 1989.

Motion carried.

House adjourned at 8:10 p.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

EIGHTY-THIRD LEGISLATIVE DAY

Helena, Montana
April 13, 1989

House Chambers
State Capitol

House convened at 1:35 p.m., Mr. Speaker in the Chair. Invocation by Representative Elliott. Pledge of Allegiance to the Flag.

Roll call. All members present except Glaser and Moore, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 4/13/89
Correctly printed: HJR 44.
Correctly engrossed: HJR 40, SB 431, SB 468, SJR 19.

TAXATION (Harrington, Chairman): 4/13/89
SB 253, be concurred in. Report adopted.

MESSAGES FROM THE GOVERNOR

John Vincent April 13, 1989
Speaker of the House
Montana House of Representatives
State Capitol
Helena, Montana 59620

Dear Representative Vincent:

Please be informed that I have signed House Bills 630, 389, 727, 647, 122, 736, 336, 307, 319, 483, 657, 536, 440, 655, 489, 447, 720 and 682 on April 12, 1989.

Sincerely,

STAN STEPHENS
Governor

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Kimberley in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 245 - Representative Quilici moved the Governor's amendments to HB 245 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Cobb, Grinde, Lee, Owens.

Total 4

Excused: Glaser, Moore.

Total 2

Absent or not voting: Cocchiarella.

Total 1

HB 364 - Representative R. Nelson moved the Governor's amendments to HB 364 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: Cody.

Total 1

Excused: Glaser, Moore.

Total 2

Absent or not voting: None.

Total 0

Representative Glaser present at this time.

HB 432 - Representative Eudaily moved the Governor's amendments to HB 432 be indefinitely postponed. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.

Total 95

Noes: D. Brown, Good, Wyatt.

Total 3

Excused: Moore.

Total 1

Absent or not voting: Simon.
Total 1

Representative Marks excused at this time.

HB 663 - Representative J. Brown moved Senate amendments to HB 663 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Campbell, Guthrie.
Total 2

Excused: Marks, Moore.
Total 2

Absent or not voting: None.
Total 0

HB 783 - Representative O'Keefe moved Senate amendments to HB 783 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Campbell, Clark, Lee, Stepler.
Total 4

Excused: Marks, Moore.
Total 2

Absent or not voting: None.
Total 0

HB 786 - Representative Addy moved Senate amendments to HB 786 be not concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody,

Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Marks, Moore.

Total 2

Absent or not voting: None.

Total 0

Representative Marks present at this time.

HB 621 - Representative T. Nelson moved the conference committee report on HB 621 be adopted. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: Boharski.

Total 1

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

HB 734 - Representative Thomas moved the conference committee report on HB 734 be adopted. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, L. Nelson, R.

Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Boharski, Campbell, Glaser, Good, Patterson, Swysgood.

Total 6

Excused: Moore.

Total 1

Absent or not voting: Marks.

Total 1

SB 173 - Representative Darko moved the conference committee report on SB 173 be placed at the bottom of the second reading board. Motion carried.

SB 296 - Representative J. Brown moved the conference committee report on SB 296 be adopted. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

Representative Moore present at this time.

SB 427 - Representative R. Nelson moved the conference committee report on SB 427 be adopted.

Representative Simon made a substitute motion the conference committee report on SB 427 be not adopted. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Knapp, Koehnke, Lee, Marks, McDonough, Menahan, Moore, L. Nelson, R.

Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Kimberley, McCormick.

Total 2

Excused: Mercer.

Total 1

Absent or not voting: D. Brown, Clark, Ramirez.

Total 3

Representative Mercer excused at this time.

HB 795 - Representative Vincent moved HB 795 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Moore, L. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Campbell, Grinde, R. Nelson, T. Nelson, Steppler.

Total 5

Excused: Mercer.

Total 1

Absent or not voting: None.

Total 0

HJR 38 - Representative Whalen moved HJR 38 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough, Menahan, Moore, L. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 85

Noes: Clark, Gilbert, Grinde, Lee, Marks, R. Nelson, T. Nelson, Owens, Patterson, Peck, Phillips, Swysgood, Zook.

Total 13

Excused: Mercer.

Total 1

Absent or not voting: Good.

Total 1

HJR 39 - Representative Wyatt moved HJR 39 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: DeBruycker, Hayne, Kasten, Marks, Smith, Stepler, Swift, Swysgood.

Total 8

Excused: Mercer.

Total 1

Absent or not voting: Schye, Thomas.

Total 2

HJR 41 - Representative Vincent moved HJR 41 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Mercer.

Total 1

Absent or not voting: Strizich.

Total 1

HJR 44 - Representative Russell moved HJR 44 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Good, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Moore, L. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rice, Russell, Schye, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 77

Noes: Aafedt, Campbell, Clark, DeBruycker, Giacometto, Gilbert, Guthrie, Hayne, Kasten, Keller, R. Nelson, T. Nelson, Owens, Ramirez, Rehberg, Roth, Simon, Simpkins, Spring, Wallin.

Total 20

Excused: Mercer.

Total 1

Absent or not voting: Ellison, Glaser.

Total 2

Representative Mercer present at this time.

Representative Kadas excused at this time.

SB 173 - Representative Darko moved the conference committee report on SB 173 be adopted.

Representative Daily moved for cloture. Motion carried.

Thereupon, the motion to adopt the conference committee report on SB 173 failed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Elliott, Gervais, Grady, Hansen, Harrington, Kadas, Keller, Kimberley, Knapp, Lee, McCormick, McDonough, Menahan, Moore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Quilici, Ream, Russell, Schye, Smith, Spaeth, Spring, Squires, Stickney, Strizich, Wallin, Westlake, Whalen, Mr. Speaker.

Total 49

Noes: Aafedt, Boharski, Campbell, Clark, Cobb, Compton, DeBruycker, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kasten, Kilpatrick, Koehnke, Marks, Mercer, R. Nelson, T. Nelson, O'Connell, Owens, Patterson, Peck, Phillips, Ramirez, Raney, Rehberg, Rice, Roth, Simon, Simpkins, Stang, Stepler, Swift, Swysgood, Thoft, Thomas, Wyatt, Zook.

Total 51

Paired: Kadas, Aye; Gilbert, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Harper moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Kimberley moved the adoption of the committee report. Report adopted. (89-8)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Representative Kadas present at this time.

SB 368 concurred in as follows:

Ayes: Aafedt, Bachini, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connolly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Addy, Bardanouve, Brooke, Elliott, Hansen, Nisbet, Squires, Whalen.

Total 8

Excused: None.

Total 0

Absent or not voting: Kadas.

Total 1

SB 410 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connolly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 431 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 92

Noes: Boharski, Campbell, Gilbert, Glaser, Ramirez, Swysgood, Thoft, Zook.

Total 8

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 458 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 468 concurred in as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Gervais, Grady, Hansen, Harper, Harrington, Johnson, Kadas, Kilpatrick, Kimberley, Koehnke, McCormick, McDonough, Menahan, Moore, L. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, Russell, Schye, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 53

Noes: Aafedt, Boharski, Campbell, Clark, Cobb, Compton, DeBruycker, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Iverson, Kasten, Keller, Knapp, Lee, Marks, Mercer, R. Nelson, T. Nelson, Owens, Patterson, Peterson, Phillips, Ramirez, Rehberg, Rice, Roth, Simon, Simpkins, Smith, Spring, Swift, Swysgood, Thoft, Thomas, Wallin, Zook.

Total 47

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 470 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bill was introduced, read first time, and referred to committee:

HJR 49, introduced by Elliott, Bardanouve, referred to Committee on Human Services and Aging

MOTIONS

Representative Gervais moved he be allowed to change his vote on the conference committee report on HB 734, second reading, from no to yes. Motion carried.

Representative Cocchiarella moved the House dissolve the conference committee on SB 95 and the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on House amendments to SB 95. Motion carried.

Speaker Vincent appointed the following members:

Representative Cocchiarella, Chairman
Representative O'Keefe
Representative Wallin

Representative Harper moved the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 452. Motion carried.

Speaker Vincent appointed the following members:

Representative Cody, Chairman
Representative Nisbet
Representative Cobb

Representative Harper moved the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 567. Motion carried.

Speaker Vincent appointed the following members:

Representative Harrington, Chairman
Representative Quilici
Representative Hannah

Representative Harper moved the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 618. Motion carried.

Speaker Vincent appointed the following members:

Representative Schye, Chairman
Representative Daily
Representative Eudaily

Representative Harper moved the House dissolve the conference committee on HB 626 and the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer Senate amendments to HB 626. Motion carried.

Speaker Vincent appointed the following members:

Representative Whalen, Chairman
Representative Stang
Representative Hannah

Representative Harper moved the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 786. Motion carried.

Speaker Vincent appointed the following members:

Representative Addy, Chairman
Representative Quilici
Representative Iverson

Representative Harper moved the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate to confer on House amendments to SB 132. Motion carried.

Speaker Vincent appointed the following members:

Representative Schye, Chairman
Representative Ream
Representative Guthrie

Representative Harper moved the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on House amendments to SB 209. Motion carried.

Speaker Vincent appointed the following members:

Representative Spaeth, Chairman
Representative Whalen
Representative Hannah

Representative Harper moved the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on House amendments to SB 226. Motion carried.

Speaker Vincent appointed the following members:

Representative O'Keefe, Chairman
Representative Stang
Representative Glaser

Representative Harper moved the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on House amendments to SB 283. Motion carried.

Speaker Vincent appointed the following members:

Representative Harrington, Chairman
Representative Driscoll
Representative Giacometto

Representative Harper moved the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on House amendments to SB 315. Motion carried.

Speaker Vincent appointed the following members:

Representative Driscoll, Chairman
Representative Squires
Representative Rice

Representative Harper moved the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on House amendments to SB 385. Motion carried.

Speaker Vincent appointed the following members:

Representative D. Brown, Chairman
Representative Harper
Representative Iverson

Representative Harper moved the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate to confer on House amendments to SB 465. Motion carried.

Speaker Vincent appointed the following members:

Representative Blotkamp, Chairman
Representative Cohen
Representative Smith

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved the House adjourn until 3:00 p.m., Friday, April 14, 1989.

Motion carried.

House adjourned at 4:05 p.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

EIGHTY-FOURTH LEGISLATIVE DAY

Helena, Montana
April 14, 1989

House Chambers
State Capitol

House convened at 3:07 p.m., Mr. Speaker in the Chair. Invocation by Representative Simpkins. Pledge of Allegiance to the Flag.

Roll call. All members present except Campbell, Johnson, and Squires, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journals for the seventy-eighth, seventy-ninth, and eightieth legislative days, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 4/14/89
Correctly engrossed: HB 795, HJR 38, HJR 39, HJR 41, HJR 44.

HIGHWAYS AND TRANSPORTATION (Stang, Chairman): 4/13/89
HJR 45, do pass. Report adopted.

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on House Bill 626
Report No. 1, April 13, 1989

Mr. President and Mr. Speaker:

We, your Free Conference Committee on House Bill 626, considered and recommend HB 626 (reference copy — salmon) be amended as follows:

1. Title, line 17.

Strike: "DEFINE"

Insert: "PROVIDE THE FACTORS THE PUBLIC SERVICE COM-
MISSION SHALL WEIGH AND BALANCE IN DETERMINING"

Following: "NECESSITY"

Strike: "",""

2. Page 2, line 21.

Following: "SHALL"

Insert: ", prior to making its decision,"

Strike: "CONSIDER"

Insert: "weigh and balance"

3. Page 2, line 24.

Following: "SHIPPING"

Insert: "and general"

And this Free Conference Committee Report be adopted.

For the Senate:

Noble, Chairman
Thayer
Williams

For the House:

Whalen
Stang
Hannah

Report adopted.

Free Conference Committee
on Senate Bill 128
Report No. 1, April 12, 1989

Mr. President and Mr. Speaker:

We, your Free Conference Committee on Senate Bill 128, considered and recommend SB 128 (reference copy — salmon) be amended as follows:

1. Page 11, lines 7 through 12.

Following: "(1)" on line 7

Strike: remainder of line 7 through "(B)" on line 12

Insert: "The department may by rule withhold general relief assistance or limit payments to shelter or personal needs until"

2. Page 11, line 20.

Following: "(1)"

Strike: "(B)"

3. Page 13, line 16.

Strike: "FURTHER"

4. Page 14, lines 9, 11, and 12.

Strike: "AID TO FAMILIES WITH DEPENDENT CHILDREN"

Insert: "general relief"

5. Page 15, line 15.

Following: "ADMINISTERING"

Insert: "the job search, training, and work program provided for in 53-3-304 and"

And this Conference Committee Report be adopted.

For the Senate:

McLane, Chairman

Aklestad

Manning

For the House:

Hansen

Driscoll

Marks

Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:

4/13/89

HB 280, introduced by Vincent

HB 757, introduced by Giacometto

HB 778, introduced by Connelly

HB 782, introduced by Quilici

HB 792, introduced by Davis

HJR 32, introduced by Ream

House bills concurred in as amended and returned to the House for concurrence in Senate amendments:

4/13/89

HB 507, introduced by Connelly

HB 550, introduced by Vincent

HB 566, introduced by Harrington

HB 641, introduced by Quilici

HB 703, introduced by Ramirez

HB 752, introduced by Raney

HB 766, introduced by Driscoll

HB 775, introduced by Connelly

HB 776, introduced by Connelly
HB 777, introduced by Connelly
HB 789, introduced by Connelly

Governor's amendments to House bill concurred in and returned to the House: 4/13/89

HB 569, introduced by Nisbet

Governor's amendments to Senate bill concurred in and transmitted to the House for concurrence in Governor's amendments: 4/13/89

SB 130, introduced by Manning

House bills not concurred in and returned to the House: 4/13/89

HB 600, introduced by Vincent
HB 791, introduced by Ramirez

House bill requested to be returned for further consideration: 4/13/89

HB 707, introduced by Iverson

Conference committee reports adopted: 4/13/89

HB 165, introduced by Ellison
HB 700, introduced by Pavlovich
SB 95, introduced by Rasmussen

Free conference committee reports adopted: 4/13/89

HB 32, introduced by Daily
HB 159, introduced by R. Nelson
SB 333, introduced by Mazurek
SB 363, introduced by Crippen

The Senate, on 4/13/89, acceded to the request of the House and appointed a free conference committee to meet with a like committee from the House to confer on Senate amendments to HB 100.

President Galt appointed the following members:

Senator Story, Chairman
Senator Devlin
Senator Jacobson

The Senate, on 4/13/89, failed to concur in House amendments to SB 241 and appointed a free conference committee, requesting the House appoint a like committee to confer on House amendments to SB 241.

President Galt appointed the following members:

Senator Farrell, Chairman
Senator Crippen
Senator Mazurek

The Senate, on 4/13/89, dissolved the conference committee on Senate amendments to HB 626 and appointed a free conference committee to meet with a like committee from the House to confer on Senate amendments to HB 626.

President Galt appointed the following members:

Senator Noble, Chairman
Senator Thayer

Senator Williams

The Senate, on 4/13/89, dissolved the conference committee on House amendments to SB 95 and appointed a free conference committee to meet with a like committee from the House to confer on House amendments to SB 95.

President Galt appointed the following members:

Senator Rasmussen, Chairman
Senator Aklestad
Senator Boylan

MESSAGES FROM THE GOVERNOR

John Vincent
Speaker of the House
Montana House of Representatives
State Capitol
Helena, Montana 59620

April 13, 1989

Dear Representative Vincent:

Please be informed that I have signed House Bill 89 on March 20, 1989.

Sincerely,

STAN STEPHENS
Governor

John Vincent
Speaker of the House
Montana House of Representatives
State Capitol
Helena, Montana 59620

April 13, 1989

Dear Representative Vincent:

Please be informed that I have signed House Bill 688 on April 8, 1989.

Sincerely,

STAN STEPHENS
Governor

John Vincent
Speaker of the House
Montana House of Representatives
State Capitol
Helena, Montana 59620

April 14, 1989

Dear Representative Vincent:

Please be informed that I have signed House Bills 603 and 73 on April 13, 1989.

Sincerely,

STAN STEPHENS
Governor

John Vincent
Speaker of the House
Montana House of Representatives
State Capitol

April 14, 1989

Helena, Montana 59620

Dear Representative Vincent:

Please be informed that I have signed House Bill 701 on April 14, 1989.

Sincerely,

STAN STEPHENS
Governor

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, Montana 59620

April 13, 1989

The Honorable Jack Galt
President of the Senate
State Capitol
Helena, Montana 59620

Dear Representative Vincent and Senator Galt:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby make the following line-item veto to House Bill 54, "AN ACT CREATING A STATUTORY LEGISLATIVE COMMITTEE ON INDIAN AFFAIRS; APPROPRIATING FUNDS FOR THE COMMITTEE; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

I endorse and accept the need to continue the legislative Committee on Indian Affairs as a means to further promote the general interests of the state of Montana and Montana Indian tribes.

I am, however, exercising a line-item veto on the appropriations provisions of this bill. I am reducing the appropriations for the biennium ending June 30, 1991, from \$6,000 from the general fund to \$4,500. This amount is consistent with the legislative appropriation to the committee in 1987.

By line-item veto, increased government spending is denied but at the same time the Committee on Indian Affairs may continue to meet and promote the interests of the state.

Reference the enrolled copy of House Bill 54, page 4, Section 9. Appropriations.

I line-item veto the general fund monies appropriated for the biennium ending June 30, 1991 from \$6,000 and reduce the amount to \$4,500.

Sincerely,

STAN STEPHENS
Governor

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, Montana 59620

April 13, 1989

The Honorable Jack Galt
President of the Senate
State Capitol
Helena, Montana 59620

Dear Representative Vincent and Senator Galt:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby veto the adoption of House Bill 370, "AN ACT INCREASING THE AMOUNT AUTHORIZED FOR MEAL REIMBURSEMENT FOR STATE EMPLOYEES AND CERTAIN OFFICIALS ENGAGED IN STATE BUSINESS WHILE AWAY FROM THEIR DESIGNATED HEADQUARTERS BUT WITHIN THE STATE; AND AMENDING SECTION 2-18-501, MCA." for the following reasons.

House Bill 370 increases meal reimbursements for in-state meals for State employees, elected officials and members of boards, commissions, etc. The projected fiscal impact of additional spending increases the cost to State government by approximately \$300,000 each year of the coming biennium.

I do not exercise this veto lightly and realize that costs of meals for employees require consideration. However, the present fiscal condition of our state and my responsibilities to contain the growth of government spending requires that I must veto legislation that does not demonstrate a compelling state or public policy interest for additional costs.

Sincerely,

STAN STEPHENS
Governor

MOTIONS

Representative Wallin excused at this time.

Representative Johnson present at this time.

Representative Harper moved the House accede to the request of the Senate to return HB 707 for further consideration. Motion carried.

Representative Harper moved the House dissolve the conference committee on HB 57 and the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to consider Senate amendments to HB 57. Motion carried.

Speaker Vincent appointed the following members:

Representative Wyatt, Chairman
Representative McDonough
Representative Mercer

Representative Harper moved the House recess until 4:00 p.m.

Motion carried.

House recessed at 3:23 p.m.

House reconvened at 5:00 p.m. Mr. Speaker in the Chair.

Representative Wallin present at this time.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Quilici moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Lee in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Representative Grinde excused at this time.

SB 253 - Representative Elliott moved SB 253, third reading copy, be amended as follows:

1. Page 2, line 8.

Following: “(2)”

Insert: “(a)”

2. Page 2.

Following: line 11

Insert: “(b) For the purposes of [this act] private schools are defined as those that are qualified to provide elementary and secondary education pursuant to section 20-5-109.”

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Gervais, Giacometto, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 86

Noes: Clark, Cobb, Compton, Ellison, Eudaily, Gilbert, Hayne, Kasten, Nisbet, O'Keefe, Wallin.
Total 11

Excused: Campbell, Grinde.
Total 2

Absent or not voting: Bradley.
Total 1

Representative Grinde present at this time.

Representative Westlake moved SB 253, as amended, be concurred in.
Motion failed as follows:

Ayes: Blotkamp, Cobb, Cocchiarella, DeBruycker, Gervais, Giacometto, Gould, Guthrie, Hannah, Hanson, Harrington, Hoffman, Keller, Knapp, Koehnke, Lee, Moore, O'Connell, Owens, Phillips, Quilici, Rehberg, Rice, Simpkins, Spring, Squires, Wallin, Westlake, Whalen, Zook.
Total 30

Noes: Aafedt, Addy, Bachini, Bardanouve, Bradley, Brooke, D. Brown, J. Brown, Clark, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gilbert, Glaser, Good, Grady, Grinde, Hansen, Harper, Hayne, Iverson, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Ramirez, Raney, Ream, Roth, Russell, Schye, Simon,

Smith, Spaeth, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wyatt, Mr. Speaker.
Total 68

Excused: Campbell.
Total 1

Absent or not voting: Boharski.
Total 1

Representative Harper moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Lee moved the adoption of the committee report. Report adopted. (91-7)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HJR 40 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: Campbell.
Total 1

Absent or not voting: None.
Total 0

SJR 19 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Darko, Hayne, O'Keefe, Peterson.

Total 4

Excused: Campbell.

Total 1

Absent or not voting: Clark.

Total 1

HB 245, Governor's amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Cobb, Grinde, Owens.

Total 3

Excused: Campbell.

Total 1

Absent or not voting: Kadas.

Total 1

HB 364, Governor's amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: Cody.

Total 1

Excused: Campbell.

Total 1

Absent or not voting: None.

Total 0

HB 663, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Grinde, Hayne, Lee, Owens, Smith.

Total 5

Excused: Campbell.

Total 1

Absent or not voting: None.

Total 0

HB 783, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simpkins, Smith, Spring, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Clark, Grinde, Lee, Marks, T. Nelson, Ramirez, Simon, Spaeth, Stepler.

Total 9

Excused: Campbell.

Total 1

Absent or not voting: None.

Total 0

HB 621, conference committee report, adopted as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth,

Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Boharski, Koehnke, Marks, Peck.
Total 4

Excused: Campbell.
Total 1

Absent or not voting: None.
Total 0

HB 734, conference committee report, adopted as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: Boharski, Ellison, Glaser, Hannah, Koehnke, Marks, Menahan, Owens, Patterson, Swysgood.
Total 10

Excused: Campbell.
Total 1

Absent or not voting: None.
Total 0

SB 296, conference committee report, adopted as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Bardanouve, Owens.
Total 2

Excused: Campbell.
Total 1

Absent or not voting: Hoffman, Westlake.

Total 2

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

4/14/89

Correctly enrolled: HB 32, HB 165, HB 233, HB 415, HB 420,
HB 463, HB 526, HB 543, HB 552, HB 700, HB 709, HB 761,
HB 774, HJR 31, HJR 33, HJR 34, HJR 35.

Examined by the sponsors and found to be correct:

HB 32 - Daily
HB 165 - Ellison
HB 233 - D. Brown
HB 415 - Patterson
HB 420 - Koehnke
HB 463 - Thoft
HB 526 - Iverson
HB 543 - Connelly
HB 552 - T. Nelson
HB 700 - Pavlovich
HB 709 - Hanson
HB 761 - Moore
HB 774 - DeBruycker
HJR 31 - Westlake
HJR 33 - Stickney
HJR 34 - Stickney
HJR 35 - Wallin

STATE ADMINISTRATION (J. Brown, Chairman):

4/14/89

HJR 46, do pass. Report adopted.**HJR 47**, do pass. Report adopted.**SJR 20**, third reading copy, be amended as follows:

1. Page 3, lines 16, 19, and 23.
Strike: "interim committee"
Insert: "Legislative Audit Committee"

And, as amended, be concurred in. Report adopted.

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on Senate Bill 315
Report No. 1, April 14, 1989

Mr. President and Mr. Speaker:

We, your Free Conference Committee on Senate Bill 315, considered and
recommend SB 315 (reference copy — salmon) be amended as follows:

1. Title, line 6.
Following: "AN ACT"
Insert: "GENERALLY REVISING THE LAW RELATING TO
WORKERS' COMPENSATION;"
2. Title, line 14.
Following: "MCA;"
Insert: "CONTINGENTLY REPEALING CHAPTER 428, LAWS
OF 1989;"
3. Page 3, line 2.
Strike: "either directly to the medical provider or"

4. Page 6.

Following: line 5

Insert: "NEW SECTION. Section 6. Contingent repealer. If Senate Bill 405 is not passed and approved, Chapter 428, Laws of 1989, is repealed."

And this Free Conference Committee Report be adopted.

For the Senate:

Keating, Chairman
Aklestad
Rapp-Svrcek

For the House:

Driscoll
Squires
Rice

Report adopted.

Free Conference Committee
on House Bill 786
Report No. 1, April 13, 1989

Mr. President and Mr. Speaker:

We, your Free Conference Committee on House Bill 786, considered and recommend HB 786 (reference copy — salmon) be amended as follows:

1. Page 7.

Following: line 5

Insert: "(8) The department shall review the competitiveness of the compensation provided to registered nurses and other occupations under this part. If the department finds that substantial problems exist with recruitment and retention because of inadequate salaries when compared to competing employers, the department may establish criteria allowing an adjustment in pay or classification to mitigate the problems. Insofar as these adjustments may apply to employees within a collective bargaining unit, the implementation of these adjustments is a negotiable subject under 39-31-305."

2. Page 18, lines 11 through 15.

Strike: section 14 in its entirety

Renumber: subsequent sections

3. Page 20, lines 15 and 17.

Strike: "15"

Insert: "14"

And this Free Conference Committee Report be adopted.

For the Senate:

Story, Chairman
Harp
Mazurek

For the House:

Addy
Quilici
Iverson

Report adopted.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

HOUSE JOURNAL
REGULAR SESSION

Representative Harper moved the House adjourn until 8:00 a.m., Saturday, April 15, 1989.

Motion carried.

House adjourned at 5:40 p.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

EIGHTY-FIFTH LEGISLATIVE DAY

Helena, Montana
April 15, 1989

House Chambers
State Capitol

House convened at 8:00 a.m., Speaker Pro Tempore Addy in the Chair.
Invocation by Representative Roth. Pledge of Allegiance to the Flag.

Roll call. All members present except Aafedt, Campbell, Knapp, and Moore, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 4/15/89

Correctly printed: HJR 45, HJR 46, HJR 47.

HUMAN SERVICES AND AGING (Hansen, Chairman): 4/14/89

HJR 48, do pass. Report adopted.

HJR 49, do pass. Report adopted.

REPORTS OF SELECT COMMITTEES

Free Conference Committee

on Senate Bill 65

Report No. 1, April 12, 1989

Mr. President and Mr. Speaker:

We, your Free Conference Committee on Senate Bill 65, considered and recommend SB 65 (reference copy — salmon) be amended as follows:

1. Page 2, line 20.

Following: "UNIT"

Insert: " , except in a taxing unit that levied a tax in tax years 1983 through 1985 but did not levy a tax in 1986, in which case the actual tax liability for an individual property is capped at the dollar amount due in that taxing unit for the 1985 tax year"

2. Page 6, line 9.

Following: "~~assessments~~,"

Insert: "(g) street lighting assessments;"

Renumber: subsequent subsection

3. Page 8, line 5.

Strike: "[SECTION 1(1)]"

Insert: "[section 1(7)]"

And this Free Conference Committee Report be adopted.

For the Senate:

For the House:

Gage, Chairman

Harrington

Jenkins

Driscoll

Van Valkenburg

Hoffman

Report adopted.

MESSAGES FROM THE SENATE

House bills requested to be returned for further consideration: 4/14/89

HB 529, introduced by Boharski

HB 791, introduced by Ramirez

House bill indefinitely postponed and returned to the House: 4/14/89

HB 676, introduced by Raney

House bill not concurred in and returned to the House:

4/14/89

HB 772, introduced by Simpkins

The Senate, on 4/14/89, dissolved the conference committee on SB 465 and appointed a free conference committee to meet with a like committee from the House to confer on House amendments to SB 465.

President Galt appointed the following members:

Senator Harp, Chairman
Senator Devlin
Senator Pipinich

The Senate, on 4/14/89, acceded to the request of the House and appointed a conference committee to meet with a like committee from the House to confer on Senate amendments to HB 618.

President Galt appointed the following members:

Senator Hammond, Chairman
Senator Farrell
Senator Pinsonneault

The Senate, on 4/14/89, appointed a free conference committee to meet with a like committee from the House to confer on Senate amendments to HB 786.

President Galt appointed the following members:

Senator Story, Chairman
Senator Harp
Senator Mazurek

MESSAGES FROM THE GOVERNOR

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, Montana 59620

April 14, 1989

The Honorable Jack Galt
President of the Senate
State Capitol
Helena, Montana 59620

Dear Representative Vincent and Senator Galt:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby veto the adoption of House Bill 373, "AN ACT TO REVISE ~~THE DAILY EXPENSE PAYMENT FOR LEGISLATORS AND THE ALLOWABLE NUMBER OF REIMBURSABLE ROUND TRIPS FOR LEGISLATORS TO THEIR PLACE OF RESIDENCE DURING REGULAR LEGISLATIVE SESSIONS; AMENDING SECTION 5-2-301, MCA; PROVIDING FOR COORDINATION WITH CHAPTER 1, LAWS OF 1989; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A RETROACTIVE DATE.~~" for the following reasons.

House Bill 373, if enacted, would permit reimbursement for legislators traveling to and from their residences by an additional two trips. The projected additional cost of these trips and the fiscal impact amounts to

approximately \$54,000. The legislation is also retroactive to the present legislative session.

I am very much aware of the personal sacrifices required of all elected officials that serve state and local governments. My experience, both as a legislator and as Governor, reminds us about this dilemma. Recently, I vetoed a bill that would increase reimbursed meals for employee in-state travel because of the state's continued financial condition. I exercise this veto, again with considerable thought and concern about its effect on appropriate representation in Helena of your constituents.

I am, however, also daily aware of the fiscal constraints that face our state, lack of long-term revenue solutions and projected increased government spending. I cannot permit increased government spending without a compelling public interest to do so.

Sincerely,

STAN STEPHENS
Governor

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, Montana 59620

April 14, 1989

The Honorable Jack Galt
President of the Senate
State Capitol
Helena, Montana 59620

Dear Representative Vincent and Senator Galt:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby veto the adoption of House Bill 444, "AN ACT ESTABLISHING AN INDIVIDUAL INCOME TAX CHECKOFF TO BE USED TO FUND THE MOCK LEGISLATURE FOR MONTANA'S SENIOR CITIZENS; ESTABLISHING A SENIOR CITIZENS' MOCK LEGISLATURE ACCOUNT IN THE STATE SPECIAL REVENUE FUND; AND AMENDING SECTION 15-30-121, MCA." for the following reasons.

To further expand the individual income tax checkoff for fund raising activity of organizations as an alternative to the legislative appropriations process is not wise. The result extends the length of an already complex tax return form and creates additional taxpayer frustrations at income tax time. The State's tendency to expand tax alternatives must be curtailed.

Further, although there is partial recovery for administrative expenses incurred by the Department of Revenue as amended, there is no assurance of adequate spending authority to cover the cost of administering the program. Also, only taxpayers who receive a refund are eligible to contribute to the program. These problems reduce the yield of the checkoff and then requires the Department and the general fund to subsidize the operation of the program.

I realize that there are numerous worthy programs that would seek an opportunity for further tax checkoff privileges. However, a compelling public policy interest has not been demonstrated to me to allow further governmental expansion in non-profit private organizations.

Sincerely,

STAN STEPHENS
Governor

MOTIONS

Representative Wallin moved HJR 45 be taken from printing and placed on second reading this legislative day. Motion carried.

Representative Gilbert moved HJR 47 be taken from printing and placed on second reading this legislative day. Motion carried.

Representative Thomas moved HJR 46 be taken from printing and placed on second reading this legislative day. Motion carried.

Representative Harper moved the House accede to the request of the Senate to return HB 529 and HB 791 for further consideration. Motion carried.

Representative Harper moved the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on House amendments to SB 241. Motion carried.

Speaker Pro Tempore Addy announced Speaker Vincent appointed the following members:

Representative Spaeth, Chairman
Representative D. Brown
Representative Marks

Representative Harper moved the House dissolve the conference committee on SB 465 and the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on House amendments to SB 465. Motion carried.

Speaker Pro Tempore Addy announced Speaker Vincent appointed the following members:

Representative Blotkamp, Chairman
Representative Cohen
Representative Smith

Representative Moore present at this time.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Blotkamp in the Chair.

Speaker Pro Tempore: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 626 - Representative Whalen moved the conference committee report on HB 626 be adopted. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore,

L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: Aafedt, Campbell, Knapp.
Total 3

Absent or not voting: Quilici.
Total 1

HB 786 - Representative Addy moved the conference committee report on HB 786 be adopted. Motion carried as follows:

Ayes: Addy, Bachini, Bardanoue, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: Aafedt, Campbell, Knapp.
Total 3

Absent or not voting: None.
Total 0

SB 128 - Representative Bradley moved the conference committee report on SB 128 be adopted. Motion carried as follows:

Ayes: Addy, Bachini, Bardanoue, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 88

Noes: DeBruycker, Ellison, Peck, Ramirez, Spring, Thomas, Wallin.
Total 7

Excused: Aafedt, Campbell, Knapp.

Total 3

Absent or not voting: T. Nelson, Roth.

Total 2

SB 315 - Representative Smith moved the conference committee report on SB 315 be adopted. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Glaser, O'Keefe.

Total 2

Excused: Aafedt, Campbell, Knapp.

Total 3

Absent or not voting: None.

Total 0

SB 130 - Representative Simon moved the Governor's amendments to SB 130 be concurred in. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Aafedt, Campbell, Knapp.

Total 3

Absent or not voting: Hannah, Moore.

Total 2

HB 507 - Representative Connelly moved Senate amendments to HB 507 be concurred in. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis,

DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: Boharski, Cohen, Owens, Patterson, Strizich.
Total 5

Excused: Aafedt, Campbell, Knapp.
Total 3

Absent or not voting: D. Brown, Glaser.
Total 2

Representative Ramirez excused at this time.

HB 550 - Representative Vincent moved Senate amendments to HB 550 be concurred in. Motion carried as follows:

Ayes: Addy, Bachini, Bardanoue, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Kasten, Lee, Owens.
Total 3

Excused: Aafedt, Campbell, Knapp, Ramirez.
Total 4

Absent or not voting: D. Brown.
Total 1

HB 566 - Representative Harrington moved Senate amendments to HB 566 be not concurred in. Motion carried as follows:

Ayes: Addy, Bachini, Bardanoue, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth,

Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Ellison, Peterson.

Total 2

Excused: Aafedt, Campbell, Knapp, Ramirez.

Total 4

Absent or not voting: Cohen.

Total 1

HB 641 - Representative Quilici moved Senate amendments to HB 641 be not concurred in. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Aafedt, Campbell, Knapp, Ramirez.

Total 4

Absent or not voting: None.

Total 0

HB 703 - Representative Mercer moved Senate amendments to HB 703 be placed at the bottom of the board. Motion carried.

HB 752 - Representative Raney moved Senate amendments to HB 752 be not concurred in. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Quilici, Raney, Ream, Rehberg, Rice, Russell, Schye, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 88

Noes: Clark, Kasten, Marks, Peterson, Phillips, Roth, Simon, Zook.

Total 8

Excused: Aafedt, Campbell, Knapp, Ramirez.

Total 4

Absent or not voting: None.

Total 0

Representative Ramirez present at this time.

HB 766 - Representative Driscoll moved Senate amendments to HB 766 be not concurred in. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Aafedt, Campbell, Knapp.

Total 3

Absent or not voting: None.

Total 0

HB 775 - Representative Connelly moved Senate amendments to HB 775 be concurred in. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spring, Squires, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: Cobb, Driscoll, Grinde, Kasten, Owens, Smith, Spaeth, Stang.

Total 8

Excused: Aafedt, Campbell, Knapp.

Total 3

Absent or not voting: None.

Total 0

HB 776 - Representative Connelly moved Senate amendments to HB 776 be concurred in. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Owens.

Total 1

Excused: Aafedt, Campbell, Knapp.

Total 3

Absent or not voting: None.

Total 0

HB 777 - Representative Connelly moved Senate amendments to HB 777 be concurred in. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Cobb, DeBruycker, Driscoll, Kasten, Owens.

Total 5

Excused: Aafedt, Campbell, Knapp.

Total 3

Absent or not voting: Swift.

Total 1

HB 789 - Representative Connelly moved Senate amendments to HB 789 be concurred in. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Elliott, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins,

Smith, Spaeth, Spring, Squires, Stickney, Strizich, Thoft, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 83

Noes: DeBruycker, Driscoll, Eudaily, Grinde, Guthrie, Hayne, Kasten, Patterson, Stang, Stepler, Swift, Swysgood, Wallin.

Total 13

Excused: Aafedt, Campbell, Knapp.

Total 3

Absent or not voting: Ellison.

Total 1

SJR 20 - Representative Simon moved SJR 20 be concurred in. Motion carried as follows:

Ayes: Addy, Bachini, Bardanoue, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Whalen, Zook, Mr. Speaker.

Total 89

Noes: D. Brown, Driscoll, Hansen, Raney, Stang, Stepler, Westlake, Wyatt.

Total 8

Excused: Aafedt, Campbell, Knapp.

Total 3

Absent or not voting: None.

Total 0

HJR 45 - Representative Wallin moved HJR 45 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanoue, Blotkamp, Boharski, Bradley, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Brooke, Kadas, Roth.

Total 3

Excused: Aafedt, Campbell, Knapp.

Total 3

Absent or not voting: D. Brown, Grady, R. Nelson.

Total 3

HJR 46 - Representative Thomas moved HJR 46 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stickney, Strizich, Swift, Thoft, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 85

Noes: O'Keefe, Patterson, Peck, Roth, Stang, Stepler, Swysgood, Thomas.

Total 8

Excused: Aafedt, Campbell, Knapp.

Total 3

Absent or not voting: D. Brown, Grady, Koehnke, Wallin.

Total 4

HJR 47 - Representative Gilbert moved HJR 47 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Stang, Stepler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.

Total 89

Noes: Grady, Peck, Swysgood, Thoft.

Total 4

Excused: Aafedt, Campbell, Knapp.

Total 3

Absent or not voting: D. Brown, Kadas, Squires, Wyatt.

Total 4

HB 703 - Representative Ramirez moved Senate amendments to HB 703 be not concurred in.

Representative Ramirez made a substitute motion Senate amendments to HB 703 be concurred in. Motion carried as follows:

Ayes: Addy, Bachini, Blotkamp, Bradley, Brooke, J. Brown, Clark, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker,

DeMars, Driscoll, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Good, Gould, Grady, Guthrie, Hannah, Hansen, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Zook.

Total 81

Noes: Bardanouve, Boharski, Cobb, Cohen, Elliott, Glaser, Grinde, Hanson, Hayne, O'Keefe, Patterson, Peck, Smith, Wyatt, Mr. Speaker.

Total 15

Excused: Aafedt, Campbell, Knapp.

Total 3

Absent or not voting: D. Brown.

Total 1

Representative Quilici moved the committee rise and report. Motion carried. Committee arose. House resumed. Speaker Pro Tempore Addy in the Chair. Chairman Blotkamp moved the adoption of the committee report. Report adopted. (88-4)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 795 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Grinde.

Total 1

Excused: Aafedt, Campbell, Knapp.

Total 3

Absent or not voting: Harper.

Total 1

HJR 38 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde,

Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Steppler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Clark, Patterson, Stang, Swysgood.

Total 4

Excused: Aafedt, Campbell, Knapp.

Total 3

Absent or not voting: None.

Total 0

HJR 39 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: DeBruycker, Hayne, Kasten, Marks, Owens, Smith, Steppler, Swift, Swysgood, Thoft.

Total 10

Excused: Aafedt, Campbell, Knapp.

Total 3

Absent or not voting: None.

Total 0

HJR 41 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Aafedt, Campbell, Knapp.

Total 3

Absent or not voting: None.

Total 0

HJR 44 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Good, Gould, Grady, Grinde, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Quilici, Raney, Ream, Rice, Russell, Schye, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 75

Noes: Boharski, Clark, DeBruycker, Giacometto, Gilbert, Guthrie, Hannah, Hayne, Kasten, Keller, Marks, Peterson, Phillips, Ramirez, Rehberg, Roth, Simon, Simpkins, Swysgood, Thoft, Wallin.

Total 21

Excused: Aafedt, Campbell, Knapp.

Total 3

Absent or not voting: Glaser.

Total 1

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

4/15/89

Correctly enrolled: HB 26, HB 44, HB 56, HB 60, HB 304, HB 583, HB 690, HB 754, HJR 14.

Examined by the sponsors and found to be correct:

HB 26 - Peck

HB 44 - Peck

HB 56 - Whalen

HB 60 - Harrington

HB 304 - Hannah

HB 583 - Bardanouve

HB 690 - Spaeth

HB 754 - Harper

HJR 14 - Vincent

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on Senate Bill 385

Report No. 1, April 13, 1989

Mr. President and Mr. Speaker:

We, your Free Conference Committee on Senate Bill 385, considered and recommend SB 385 (reference copy — salmon) be amended as follows:

1. Page 3, line 23.

Strike: “, including”

Insert: "and is"

2. Page 3, lines 24 and 25.

Following: "(a)" on line 24

Strike: "all substances that are defined as hazardous substances"

Insert: "a substance that is defined as a hazardous substance"

3. Page 4, line 3.

Strike: "all substances"

Insert: "a substance"

4. Page 4, line 5.

Strike: "hazardous substances"

Insert: "a hazardous substance"

5. Page 4, line 7.

Strike: "all substances that are"

Insert: "a substance that is"

6. Page 4, line 10.

Strike: "all substances"

Insert: "a substance"

7. Page 4, line 11.

Strike: "AND"

Insert: "or"

8. Page 4, line 17.

Strike: "or"

9. Page 15, line 3.

Following: "or"

Insert: "is authorized to act pursuant to subsection (1) or"

10. Page 23, line 16.

Following: "permit"

Strike: ", approval,"

11. Page 23, line 18.

Following: "permit"

Strike: ", approval,"

12. Page 25, lines 17 and 18.

Strike: "or" on line 17 through "granted" on line 18

13. Page 25, lines 19 and 20.

Following: "permit" on line 19

Strike: "or approval"

14. Page 25, line 21.

Strike: "or approval"

And this Free Conference Committee Report be adopted.

For the Senate:

Harp, Chairman
Gage
Van Valkenburg

For the House:

D. Brown
Harper
Iverson

Report adopted.

MOTIONS

Representative Harper moved the rules be suspended to allow consideration of HJR 45, HJR 46, and HJR 47 on third reading on the 86th legislative day. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Speaker Pro Tempore Addy introduced this week's pages:

Jim Allen, Stevensville
Morgan Brooke, Missoula
Elizabeth Field, Butte
Julie Hansen, Frenchtown
Rauna Hardgrove, Billings
Roberta Harris, Great Falls
Shawna Kalitowski, Belgrade
Billi Little, Bridger
Haley Minnehan, Joplin
Becky Olson, Kalispell
Linda Rickert, Moiese
Christina Shane, Pryor

Representative Harper moved the House adjourn until 2:00 p.m., Monday, April 17, 1989.

Motion carried.

House adjourned at 9:40 a.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

EIGHTY-SIXTH LEGISLATIVE DAY

Helena, Montana
April 17, 1989

House Chambers
State Capitol

House convened at 2:05 p.m., Mr. Speaker in the Chair. Invocation by Representative Thomas. Pledge of Allegiance to the Flag.

Roll call. All members present except Hannah and Moore, excused. Quorum present.

SPECIAL ORDERS OF THE DAY

After being presented to the members of the House by Speaker Vincent, David Wheeler, the 24th Rhodes scholar from the University of Montana, Missoula, addressed the House.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

4/17/89

Correctly printed: HJR 48, HJR 49.

Correctly engrossed: HJR 45, HJR 46, HJR 47, SJR 20.

Signed by the Speaker at 8:30 a.m., 4/17/89: HB 1, HB 35, HB 125, HB 173, HB 227, HB 390, HB 391, HB 554, HB 555, HB 563, HB 588, HB 742, SB 91, SB 99, SB 100, SB 101, SB 105, SB 129, SB 134, SB 139, SB 153, SB 160, SB 166, SB 167, SB 169, SB 201, SB 207, SB 219, SB 261, SB 270, SB 271, SB 286, SB 293, SB 302, SB 303, SB 331, SB 342, SB 356, SB 428, SB 429, SB 432, SB 437, SB 446, SB 449, SJR 12, SJR 13, SJR 14, SJR 15, SJR 16, SJR 18.

Signed by the Speaker at 1:45 p.m., 4/17/89: SB 330, SB 363.

REPORTS OF SELECT COMMITTEES

Conference Committee

on House Bill 486

Report No. 1, April 15, 1989

Mr. President and Mr. Speaker:

We, your Conference Committee on House Bill 486 met and considered:

The Senate Amendments to House Bill 486 (pink copy) dated March 16, 1989.

We recommend that the Senate amendments be accepted and House Bill 486 (reference copy — salmon) be adopted.

And this Conference Committee Report be adopted.

For the Senate:

For the House:

Beck, Chairman

Raney

Anderson

Elliott

Vaughn

Grady

Report adopted.

Free Conference Committee

on Senate Bill 111

Report No. 1, April 12, 1989

Mr. President and Mr. Speaker:

We, your Free Conference Committee on Senate Bill 111, considered and recommend SB 111 (reference copy — salmon) be amended as follows:

1. Page 6, lines 6 and 7.

Strike: "DIRECT"

2. Page 7, line 12.

Strike: "LAY VETERINARY"

And this Conference Committee Report be adopted.

For the Senate:

Meyer, Chairman

Beck

Boylan

For the House:

DeMars

Steppler

Compton

Report adopted.

MESSAGES FROM THE SENATE

Senate bill passed and transmitted to the House for concurrence: 4/15/89

SJR 21, introduced by Halligan

House amendments concurred in: 4/15/89

SB 341, introduced by B. Brown

SB 379, introduced by Abrams

Governor's amendments concurred in and transmitted to the House for consideration: 4/15/89

SB 80, introduced by Himsl

Conference committee reports adopted: 4/15/89

HB 734, introduced by Thomas

SB 296, introduced by Hager

MESSAGES FROM THE GOVERNOR

John Vincent

April 17, 1989

Speaker of the House

Montana House of Representatives

State Capitol

Helena, Montana 59620

Dear Representative Vincent:

Please be informed that I have signed House Bills 143, 525, 545, 590, 607, and 712 on April 14, 1989.

Also, please be informed that I have signed House Bills 234 and 564 on April 15, 1989.

Sincerely,

STAN STEPHENS

Governor

The Honorable John Vincent

April 14, 1989

Speaker of the House

State Capitol

Helena, Montana 59620

The Honorable Jack Galt

President of the Senate

State Capitol

Helena, Montana 59620

Dear Representative Vincent and Senator Galt:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby make the following amendatory veto to House Bill 54, "AN ACT CREATING A STATUTORY LEGISLATIVE COMMITTEE ON INDIAN AFFAIRS; APPROPRIATING FUNDS FOR THE COMMITTEE; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE." This amendatory veto is made for the following reasons.

I endorse and accept the need to continue the legislative Committee on Indian Affairs as a means to further promote the general interests of the state of Montana and Montana Indian tribes.

I am, however, exercising an amendatory veto on the appropriations provisions of this bill. I am reducing the appropriations for the biennium ending June 30, 1991, from \$6,000 from the general fund to \$4,500. This amount is consistent with the legislative appropriation to the committee in 1987.

By this amendatory veto, increased government spending is denied but at the same time the Committee on Indian Affairs may continue to meet and promote the interests of the state.

Reference the enrolled copy of House Bill 54, page 4, Section 9. Appropriations.

I amendatory veto the general fund monies appropriated for the biennium ending June 30, 1991 from \$6,000 and reduce the amount to \$4,500.

This message supersedes the April 13, 1989, message regarding House Bill 54 and which was intended to be an amendatory veto.

Governor's Amendment to HB 54

1. Page 5, line 17.
Strike: "\$6,000"
Insert: "\$4,500"

Sincerely,

STAN STEPHENS
Governor

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, Montana 59620

April 15, 1989

The Honorable Jack Galt
President of the Senate
State Capitol
Helena, Montana 59620

Dear Representative Vincent and Senator Galt:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby make an amendatory veto to Senate Bill 215, "THE "EMPLOYEE OWNERSHIP OPPORTUNITY ACT"; EXTENDING BUSINESS ASSISTANCE PROGRAMS TO EMPLOYEE-OWNED ENTERPRISES; EXEMPTING SECURITIES

OF EMPLOYEE-OWNED ENTERPRISES FROM SECURITIES REGISTRATION; AND AMENDING SECTION ~~30-10-104~~ 30-10-105, MCA; AND PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE." This amendatory veto is made for the following reasons.

The definition of employee ownership originally given in Senate Bill 215 included both employee cooperative corporations and ESOP corporations which meet several requirements insuring that the enterprise is majority employee owned and employee controlled. As amended by the Senate only corporations with ESOP plans are now included in the definition.

Many forms of employee-owned enterprise are possible without an ESOP, including cooperatives in which all employees own one share and only employees own shares; as well as conventional corporations in which most stock is owned by people working in the company, with or without an ESOP benefit plan. Striking the provision requiring an ESOP plan provides a more adequate and appropriately broad definition.

Note that no special privileges or benefits are provided to employee-owned enterprise by the bill; the definition is given for the sake of legal clarity and future legislative reference only. No purpose or intent of the bill is served by restricting the definition solely to companies having formal Employee Stock Ownership Plans.

I urge your concurrence in these amendments.

Governor's Amendments to SB 215

1. Page 2, line 2.

Strike: "enterprise"

Insert: "corporation"

2. Page 2, line 3.

Strike: subsection (1)(a) in its entirety

Renumber: subsequent subsections

Sincerely,

STAN STEPHENS

Governor

The Honorable John Vincent

Speaker of the House

State Capitol

Helena, Montana 59620

April 15, 1989

The Honorable Jack Galt

President of the Senate

State Capitol

Helena, Montana 59620

Dear Representative Vincent and Senator Galt:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby make an amendatory veto to Senate Bill 285, "AN ACT TO ALLOW PUBLIC CORPORATIONS OTHER THAN STATE AGENCIES TO ESTABLISH, SEPARATELY OR JOINTLY, A WORKERS' COMPENSATION SELF-INSURANCE FUND THROUGH THE ISSUANCE AND SALE OF BONDS AND NOTES; AND AMENDING SECTION 39-71-403, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE; AND

PROVIDING AN IMMEDIATE EFFECTIVE DATE.” for the following reasons.

The Association of Counties (MACO) and the League of Cities and Towns (MMIA) are currently the only public corporation or groups of public corporations which self-insure their workers' compensation liabilities under Part 21 of the Workers' Compensation Act (Title 39, Chapter 71). One of the requirements of a self insurance program under the Act is that it gives security to assure payment of its liabilities. This is usually in the form of a surety bond, cash deposit, or government securities.

The MMIA program has had an unfunded liability of about \$760,000 and has given the Division a security deposit of \$400,000. The MMIA program has also initiated plans to reduce their unfunded liability. The MACO program has an unfunded liability, as of August 30, 1988, of about \$1.2 million.

The bill, as presented, has the effect of exempting the public corporations from all state monitoring and regulation even if they issue bonds or notes for a minimal amount which cannot reasonably meet their liabilities. The unfunded liabilities in both programs demonstrate the need for some regulation to assure that the self-insurers do not sink into insolvency and become unable to meet their liabilities.

I urge your concurrence in these amendments.

Governor's Amendment to SB 285

1. Page 2, lines 11 and 12.

Following: "corporation electing compensation plan No. 1"

Strike: "OTHER THAN A CORPORATION ISSUING BONDS OR NOTES PURSUANT TO SUBSECTION (3)(B),"

Sincerely,

STAN STEPHENS
Governor

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following Senate bill was introduced, read first time, and referred to committee:

SJR 21, introduced by Halligan, B. Brown, Mazurek, Eck, Walker, Severson, Norman, Gage, Bishop, Hager, Crippen, Harp, Vincent, referred to Committee on Business and Economic Development

Representative Moore present at this time.

Representative Harper moved the House recess until 3:15 p.m.

Motion carried.

House recessed at 2:15 p.m.

House reconvened at 3:55 p.m. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

4/17/89

Signed by the Speaker at 10:00 a.m., 4/17/89: HR 2.

MOTIONS

Representative Harper moved Governor's amendments to SB 130 be taken from third reading and placed on second reading this legislative day. Motion carried.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Quilici moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative T. Nelson in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Representatives Grinde and Ramirez excused at this time.

HJR 48 - Representative Cody moved HJR 48 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: None.

Total 0

Excused: Grinde, Hannah, Ramirez.

Total 3

Absent or not voting: Menahan.

Total 1

HJR 49 - Representative Elliott moved HJR 49 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Gervais, Giacometto, Glaser, Good, Guthrie, Hansen, Harper, Harrington, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, Rice, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Whalen, Wyatt, Mr. Speaker.
Total 71

Noes: Aafedt, Bradley, Campbell, Compton, DeBruycker, Ellison, Eudaily, Gilbert, Gould, Grady, Hansen, Hayne, Hoffman, Iverson, Keller, Marks, McDonough, R. Nelson, Owens, Peterson, Rehberg, Roth, Spring, Wallin, Westlake, Zook.

Total 26

Excused: Grinde, Hannah, Ramirez.

Total 3

Absent or not voting: None.

Total 0

Representatives Grinde and Ramirez present at this time.

SB 65 - Representative Harrington moved the conference committee report on SB 65 be adopted. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.

Total 90

Noes: Boharski, Clark, DeBruycker, Glaser, Hoffman, Marks, Patterson, Swysgood, Wyatt.

Total 9

Excused: Hannah.

Total 1

Absent or not voting: None.

Total 0

SB 385 - Representative D. Brown moved the conference committee report on SB 385 be adopted. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: O'Keefe.

Total 1

Excused: Hannah.

Total 1

Absent or not voting: None.

Total 0

SB 130 - Representative Hansen moved the Governor's amendments to SB 130 be not concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody,

Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Hannah.

Total 1

Absent or not voting: Simpkins.

Total 1

Representative Harper moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman T. Nelson moved the adoption of the committee report. Report adopted. (97-2)

MOTIONS

Representative Harper moved the rules be suspended to allow consideration of HJR 48 and HJR 49 on third reading this legislative day. Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 626, conference committee report, adopted as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Aafedt, Grinde, Owens.

Total 3

Excused: Hannah.

Total 1

Absent or not voting: Thoft.

Total 1

HB 786, conference committee report, adopted as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Daily, Pavlovich, Whalen.

Total 3

Excused: Hannah.

Total 1

Absent or not voting: None.

Total 0

SB 128, conference committee report, adopted as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Good, Owens, Wallin.

Total 3

Excused: Hannah.

Total 1

Absent or not voting: None.

Total 0

SB 315, conference committee report, adopted as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet,

O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Hannah.

Total 1

Absent or not voting: Marks, Simpkins.

Total 2

HB 507, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Boharski, Campbell, DeBruycker, Grinde, Owens, Patterson, Phillips.

Total 7

Excused: Hannah.

Total 1

Absent or not voting: Clark.

Total 1

HB 550, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: Kasten.

Total 1

Excused: Hannah.

Total 1

Absent or not voting: None.

Total 0

HB 703, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Koehnke, O'Keefe, Peck.

Total 3

Excused: Hannah.

Total 1

Absent or not voting: None.

Total 0

HB 775, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Cobb, Giacometto, Good, Kasten, Owens, Peterson, Whalen.

Total 7

Excused: Hannah.

Total 1

Absent or not voting: None.

Total 0

HB 776, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould,

Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Giacometto, Owens, Peck, Peterson, Whalen.

Total 5

Excused: Hannah.

Total 1

Absent or not voting: None.

Total 0

HB 777, Senate amendments, concurred in as follows:

Ayes: Addy, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: Bachini, Clark, DeBruycker, Driscoll, Giacometto, Kasten, Owens, Peck, Raney, Stang, Whalen.

Total 11

Excused: Hannah.

Total 1

Absent or not voting: Aafedt.

Total 1

HB 789, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Elliott, Gervais, Gilbert, Glaser, Good, Gould, Grady, Hansen, Hanson, Harper, Harrington, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Squires, Stang, Stickney, Strizich, Thoft, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 79

Noes: Campbell, DeBruycker, Driscoll, Eudaily, Giacometto, Grinde, Guthrie, Hayne, Hoffman, Kasten, Keller, Patterson, Phillips, Smith, Spring, Stepler, Swift, Swysgood, Wallin.

Total 19

Excused: Hannah.

Total 1

Absent or not voting: Ellison.

Total 1

HJR 45 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Driscoll, Kadas, Marks, Raney, Roth.

Total 5

Excused: Hannah.

Total 1

Absent or not voting: None.

Total 0

HJR 46 passed as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hansen, Hanson, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 84

Noes: Addy, Brooke, Grinde, Harper, Kadas, Koehnke, O'Keefe, Owens, Patterson, Raney, Stang, Stepler, Swysgood.

Total 13

Excused: Hannah.

Total 1

Absent or not voting: Daily, Harrington.

Total 2

HJR 47 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen,

Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Brooke, Driscoll, O'Keefe, Peck, Swysgood, Thoft.

Total 6

Excused: Hannah.

Total 1

Absent or not voting: None.

Total 0

SJR 20 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Cobb, Cocchiarella, Cohen, Compton, Connelly, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hanson, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Whalen, Wyatt, Mr. Speaker.

Total 83

Noes: D. Brown, Clark, Cody, Daily, Darko, Driscoll, Hansen, Harper, Marks, O'Keefe, Pavlovich, Raney, Schye, Stepler, Westlake.

Total 15

Excused: Hannah.

Total 1

Absent or not voting: Zook.

Total 1

HJR 48 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Hannah.

Total 1

Absent or not voting: Hansen, Phillips.

Total 2

HJR 49 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Gervais, Giacometto, Glaser, Good, Grady, Grinde, Guthrie, Hansen, Harper, Harrington, Johnson, Kasten, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Whalen, Wyatt, Mr. Speaker.
Total 79

Noes: Aafedt, Compton, DeBruycker, Ellison, Eudaily, Gilbert, Gould, Hanson, Hayne, Hoffman, Iverson, Keller, Marks, Owens, Peterson, Wallin, Westlake, Zook.
Total 18

Excused: Hannah.

Total 1

Absent or not voting: Cobb, Kadas.

Total 2

MOTIONS

Representative Harper moved the House dissolve the conference committee on HB 28 and the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 28. Motion carried.

Speaker Vincent appointed the following members:

Representative Harrington, Chairman
Representative Driscoll
Representative Smith

Representative Harper moved the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 566. Motion carried.

Speaker Vincent appointed the following members:

Representative Harrington, Chairman
Representative Quilici
Representative Good

Representative Harper moved the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 641. Motion carried.

Speaker Vincent appointed the following members:

Representative Quilici, Chairman
Representative Harrington
Representative Patterson

Representative Harper moved the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 752. Motion carried.

Speaker Vincent appointed the following members:

Representative Raney, Chairman
Representative McDonough
Representative Hannah

Representative Harper moved the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 766. Motion carried.

Speaker Vincent appointed the following members:

Representative Driscoll, Chairman
Representative Elliott
Representative Patterson

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

4/17/89

Signed by the Speaker at 3:00 p.m., 4/17/89: HB 415.

Delivered to the Governor for his approval at 3:43 p.m.,
4/17/89: HB 415.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved the House adjourn until 3:00 p.m., Tuesday, April 18, 1989.

Motion carried.

House adjourned at 4:36 p.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

EIGHTY-SEVENTH LEGISLATIVE DAY

Helena, Montana
April 18, 1989

House Chambers
State Capitol

House convened at 3:10 p.m., Mr. Speaker in the Chair. Invocation by Representative Squires. Pledge of Allegiance to the Flag.

Roll call. All members present except DeBruycker, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the eighty-first, eighty-second, eighty-third, eighty-fourth, and eighty-fifth legislative days, find the same to be correct.

Menahan, Chairman

SPECIAL ORDERS OF THE DAY

The Browning High School Choir, directed by Barbara Chase, performed for the House.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

4/18/89

Signed by the Speaker at 5:00 p.m., 4/17/89: SB 287.

Signed by the Speaker at 9:00 a.m., 4/18/89: HB 26, HB 32, HB 44, HB 56, HB 60, HB 165, HB 233, HB 304, HB 420, HB 463, HB 526, HB 543, HB 552, HB 583, HB 690, HB 700, HB 709, HB 754, HB 761, HB 774, HJR 14, HJR 31, HJR 33, HJR 34, HJR 35, SB 368, SB 470.

BUSINESS AND ECONOMIC DEVELOPMENT (Pavlovich, Chairman):

4/18/89

SJR 21, be concurred in. Report adopted.

TAXATION (Harrington, Chairman):

4/17/89

SB 282, be concurred in. Report adopted.

REPORTS OF SELECT COMMITTEES

Conference Committee
on House Bill 301
Report No. 1, April 18, 1989

Mr. President and Mr. Speaker:

We, your Conference Committee on House Bill 301 met and considered:

1. The Senate Committee of the Whole Amendment offered by Senator Boylan dated March 27, 1989 (pink sheet), amending House Bill 301 (third reading copy — blue) and the Senate Finance and Claims Committee report thereto.

We recommend House Bill 301 (reference copy — salmon) be amended as follows:

1. Strike: the Senate Committee of the Whole Amendment offered by Senator Boylan dated March 27, 1989, in its entirety
2. Retain: the Senate Finance and Claims Committee report dated March 20, 1989
 - a. Amendment No. 5.

Strike: Senator Boylan's amended figure of \$17,082,525
 Revert: to the Finance and Claims Committee's figure of \$17,057,841

b. Amendment No. 8.

Strike: Senator Boylan's amended figure of \$19,566,017
 Revert: to the Finance and Claims Committee's figure of \$19,541,333

And this Conference Committee Report be adopted.

For the Senate:

Story, Chairman
 Aklestad
 Boylan

For the House:

Bardanouve
 Quilici
 Swysgood

Report adopted.

Conference Committee
 on House Bill 567
 Report No. 1, April 18, 1989

Mr. President and Mr. Speaker:

We, your Conference Committee on House Bill 567 met and considered:

The Senate Committee on Taxation's committee report dated April 5, 1989 and the amendments contained therein.

We recommend House Bill 567 (reference copy — salmon) be amended as follows:

1. Strike: the Senate Committee on Taxation's amendments dated April 5, 1989 in their entirety

And this Conference Committee Report be adopted.

For the Senate:

Crippen, Chairman
 Harp
 Halligan

For the House:

Harrington
 Quilici
 Hannah

Report adopted.

Free Conference Committee
 on Senate Bill 226
 Report No. 1, April 17, 1989

Mr. President and Mr. Speaker:

We, your Free Conference Committee on Senate Bill 226, considered and recommend SB 226 (reference copy — salmon) be amended as follows:

1. Title, line 8.

Following: "REVENUE"

Insert: "OR \$150, WHICHEVER IS GREATER"

2. Page 1, line 23.

Following: "~~of~~"

Insert: "annual"

3. Page 2, line 5.

Following: "REVENUE"

Insert: "or \$150, whichever is greater. The licensee or lessee has the option to pay the entire fee on March 1 or to divide the fee into two equal payments due March 1 and September 1"

And this Conference Committee Report be adopted.

For the Senate:

Himsl, Chairman
Brown
Manning

For the House:

O'Keefe
Stang
Glaser

Report adopted.

Free Conference Committee
on Senate Bill 241
Report No. 1, April 15, 1989

Mr. President and Mr. Speaker:

We, your Free Conference Committee on Senate Bill 241, met and considered:

The House Committee of the Whole amendments, offered by Rep. DeBruycker and dated April 10, 1989.

The House Committee on State Administration amendments dated April 6, 1989.

We recommend:

Rep. DeBruycker's amendment be rejected;

The House Committee on State Administration amendments be accepted, with changes to the effective date; and

SB 241 (reference copy — salmon) be amended as follows:

1. Page 1, line 24.

Strike: "35.73%"

Insert: "31%"

2. Page 2.

Following: line 5

Insert: "Section 2. Section 19-5-404, MCA, is amended to read:

"19-5-404. Contributions by the state. The state of Montana shall contribute monthly to the fund a sum equal to 6% of the salary of each member. In addition, the clerk of each district court shall transmit 68% of certain filing fees as required under 25-1-201(2) and that portion of the fee for filing a petition for dissolution of marriage and a motion for substitution of a judge specified in 25-1-201(4) and (6) to the state, which shall first deposit in the fund an amount equal to ~~31%~~ 34.71% of the salaries paid to district judges and supreme court justices who are covered by the judges' retirement system and then deposit the balance in the state general fund. The clerk of the supreme court shall pay one-fourth of the fees collected under 3-2-403 to the public employees' retirement division of the department of administration to be credited to the fund."

Renumber: subsequent sections

3. Page 2, line 16.

Strike: "2%"

Insert: "1.785%"

4. Page 6, lines 10 and 11.

Following: "~~SECTION~~" on line 10

Strike: "PENDING" through "LEGISLATURE," on line 11

5. Page 6, line 11.

Strike: "SECTION"

Insert: "Sections"

Following: "2"

Insert: "and 3"

Strike: "IS"

Insert: "are"

Strike: "JULY"

Insert: "January"

Strike: "1991"

Insert: "1990"

And this Free Conference Committee Report be adopted.

For the Senate:

Farrell, Chairman
Crippen
Mazurek

For the House:

Spaeth
D. Brown
Marks

Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:

4/17/89

HB 320, introduced by Mercer

HB 354, introduced by Mercer

HB 469, introduced by Addy

HB 535, introduced by J. Brown

HB 739, introduced by Boharski

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 4/17/89

HB 202, introduced by Pavlovich

HB 707, introduced by Iverson

HB 760, introduced by Hannah

Governor's amendments concurred in and returned to the House: 4/17/89

HB 595, introduced by Russell

House bills not concurred in and returned to the House: 4/17/89

HB 472, introduced by Raney

HB 609, introduced by Cohen

HB 763, introduced by Addy

Senate bill passed and transmitted to the House for concurrence: 4/17/89

SB 472, introduced by Thayer

Conference committee report adopted: 4/17/89

HB 621, introduced by T. Nelson

The Senate, on 4/17/89, acceded to the request of the House and appointed a new free conference committee to meet with a like committee from the House to confer on Senate amendments to HB 57.

President Galt appointed the following members:

Senator Beck, Chairman
Senator Harp
Senator Williams

The Senate, on 4/17/89, acceded to the request of the House and appointed a conference committee to meet with a like committee from the House to confer on Senate amendments to HB 452.

President Galt appointed the following members:

Senator Keating, Chairman
Senator Harding
Senator Regan

The Senate, on 4/17/89, acceded to the request of the House and appointed a conference committee to meet with a like committee from the House to confer on Senate amendments to HB 567.

President Galt appointed the following members:

Senator Crippen, Chairman
Senator Harp
Senator Halligan

The Senate, on 4/17/89, acceded to the request of the House and appointed a free conference committee to meet with a like committee from the House to confer on Senate amendments to HB 752.

President Galt appointed the following members:

Senator Story, Chairman
Senator Jenkins
Senator Weeding

The Senate, on 4/13/89, failed to concur in House amendments to SB 203 and appointed a free conference committee, requesting the House appoint a like committee to confer on House amendments to SB 203.

President Galt appointed the following members:

Senator Nathe, Chairman
Senator Farrell
Senator Blaylock

The Senate, on 4/15/89, failed to concur in House amendments to SB 431 and appointed a free conference committee, requesting the House appoint a like committee to confer on House amendments to SB 431.

President Galt appointed the following members:

Senator Gage, Chairman
Senator B. Brown
Senator Mazurek

The Senate, on 4/15/89, failed to concur in House amendments to SB 458 and appointed a conference committee, requesting the House appoint a like committee to confer on House amendments to SB 458.

President Galt appointed the following members:

Senator Gage, Chairman
Senator Severson

Senator Eck

MOTIONS

Representative D. Brown moved the rules be suspended to permit the late introduction of SB 472. Motion carried.

Representative Harper moved the House suspend the rules to permit consideration of Senate amendments to HB 707. Motion carried.

Representative Harper moved the House suspend the rules to permit consideration of Senate amendments to HB 202. Motion carried.

Representative Harper moved the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to consider House amendments to SB 203. Motion carried.

Speaker Vincent appointed the following members:

Representative Peck, Chairman
Representative Schye
Representative Glaser

Representative Harper moved the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on House amendments to SB 431. Motion carried.

Speaker Vincent appointed the following members:

Representative D. Brown, Chairman
Representative Strizich
Representative Gould

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following Senate bill was introduced, read first time, and referred to committee:

SB 472, introduced by Thayer, Lynch, Williams, Weeding, Meyer, Noble, Boylan, McLane (by request of the Committee on Business and Industry), referred to Committee on Business and Economic Development

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Johnson in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 80 - Representative Peck moved the Governor's amendments to SB 80 be placed at the bottom of the second reading board. Motion carried.

HB 486 - Representative Grady moved the conference committee report on HB 486 be adopted. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Grady, Hansen, Harper,

Harrington, Johnson, Kadas, Kilpatrick, Kimberley, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, Rice, Russell, Spaeth, Squires, Stang, Stickney, Strizich, Whalen, Wyatt, Mr. Speaker.

Total 53

Noes: Aafedt, Boharski, Campbell, Clark, Cobb, Compton, Ellison, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Iverson, Kasten, Keller, Knapp, Marks, L. Nelson, R. Nelson, Owens, Patterson, Peterson, Phillips, Ramirez, Rehberg, Roth, Schye, Simon, Simpkins, Smith, Spring, Steppler, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Zook.

Total 44

Excused: DeBruycker.

Total 1

Absent or not voting: Giacometto, O'Connell.

Total 2

SB 111 - Representative Spring moved the conference committee report on SB 111 be adopted. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanoue, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Cobb, Swysgood.

Total 2

Excused: DeBruycker.

Total 1

Absent or not voting: Giacometto, Grady, Hannah, Kadas, Steppler.

Total 5

SB 80 - Representative Peck moved the Governor's amendments to SB 80 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanoue, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift,

Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: DeBruycker.

Total 1

Absent or not voting: Elliott, Kadas.

Total 2

Representative Harper moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Johnson moved the adoption of the committee report. Report adopted. (77-16)

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 4/18/89

Correctly enrolled: HB 159, HB 496, HB 569, HB 619, HB 663, HB 757, HB 778, HB 782, HB 783, HB 792, HJR 32.

Delivered to the Governor for his approval at 4:00 p.m., 4/18/89: HB 1, HB 35, HB 125, HB 173, HB 227, HB 390, HB 391, HB 554, HB 555, HB 563, HB 588, HB 742.

Examined by the sponsors and found to be correct: 4/17/89

HB 159 - R. Nelson
HB 496 - Nisbet
HB 569 - Nisbet
HB 619 - Bardanouve
HB 663 - J. Brown
HB 757 - Giacometto
HB 778 - Connolly
HB 782 - Quilici
HB 783 - O'Keefe
HB 792 - Davis
HJR 32 - Ream

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on House Bill 752
Report No. 1, April 18, 1989

Mr. President and Mr. Speaker:

We, your Free Conference Committee on House Bill 752, considered and recommend HB 752 (reference copy — salmon) be amended as follows:

1. Title, line 15.

Following: "PENALTY"

Insert: "AND ADMINISTRATIVE ENFORCEMENT"

2. Page 3, line 9.

Following: "FEE"

Insert: "and from the requirement for local government approval under [section 6]"

3. Page 3, line 12.

Strike: "large-scale incineration"

Insert: "new commercial incinerator"

4. Page 3, line 13.

Strike: "wastes"

Insert: "waste and not authorize any existing incinerator to change the amount, form, kind, or content of the material it incinerates or to incinerate any material that would change the nature, character, or composition of the emissions"

5. Page 3, line 18.

Following: "environment."

Insert: "For a permitted solid waste incinerator, the department shall consider an increase in the amount of medical waste incinerated as sufficient to trigger the additional permit and review requirements provided in [section 5], including consideration of emissions of hydrochloric acid, compounds deriving from plastic incineration, and other hazardous air pollutants."

6. Page 7, line 22 through page 8, line 1.

Following: "requirements." on line 22

Strike: subsection (1) in its entirety

Insert: "(1) A person may not operate a solid waste incinerator of any of the following categories until the department has issued an air quality permit pursuant to this chapter, including the conditions provided in this section:

(a) a new commercial solid waste incinerator; or

(b) a permitted solid waste incinerator that would incinerate solid waste in an amount, form, kind, or content different from its permitted operation or that would incinerate any material that changes the nature, character, or composition of its emissions."

7. Page 8, line 13.

Following: "application"

Strike: "; and"

Insert: "or modification;

(b) the public has had an opportunity to review and comment on the permit application or modification; and"

8. Page 8, line 14.

Strike: "(b)"

Insert: "(c)"

9. Page 8, line 21.

Strike: "(b)"

Insert: "(c)"

10. Page 9, line 1.

Strike: "(b)"

Insert: "(c)"

11. Page 9, lines 3 and 4.

Strike: "FACILITY" on line 3 through "DAY" on line 4

Insert: "solid waste incinerator that is not included under subsection (1)"

12. Page 9, line 9.

Strike: "AN"

Insert: "Except as provided in subsection (3), an"

13. Page 9.

Following: line 23

Insert: "(3) Local approval under this section is not required for the incineration or disposal of solid waste at a solid waste management facility in the manner and amount incinerated or disposed of before [the effective date of this act]."

14. Page 10, line 9.

Following: "GOALS"

Strike: "AND"

Insert: " , "

15. Page 10, line 10.

Following: "PLANS,"

Insert: "and regulations,"

Following: "IMPLEMENTING"

Strike: "[THIS ACT]"

Insert: "the solid waste management fee"

16. Page 10, line 19.

Following: "YEAR"

Insert: "of the moratorium"

17. Page 10.

Following: line 20

Insert: "NEW SECTION. Section 8. Administrative enforcement. (1)

When the department believes that a violation of part 1 or this part, a violation of a rule adopted under part 1 or this part, or a violation of a permit provision has occurred, it may serve written notice of the violation on the alleged violator or his agent. The notice must specify the provision of law, rule, or permit alleged to be violated and the facts alleged to constitute a violation and may include an order to take necessary corrective action within a reasonable period of time stated in the order. The order becomes final unless, within 30 days after the notice is served, the person named requests in writing a hearing before the board. On receipt of the request, the board shall schedule a hearing. Service by mail is complete on the date of mailing.

(2) If, after a hearing held under subsection (1), the board finds that a violation has occurred, it shall either affirm or modify the department's order. An order issued by the department or by the board may prescribe the date by which the violation must cease and may prescribe time limits for particular action. If, after hearing, the board finds no violation has occurred, it shall rescind the department's order.

(3) Instead of issuing an order pursuant to subsection (1), the department may either:

(a) require the alleged violator to appear before the board for a hearing at a time and place specified in the notice and answer the charges; or

(b) initiate action under part 1 or this part.

(4) This section does not prevent the board or department from making efforts to obtain voluntary compliance through warning, conference, or any other appropriate means."

Renumber: subsequent sections

18. Page 14, line 16.

Strike: "8"

Insert: "9"

19. Page 14, line 19.

Strike: "8"

Insert: "9"

And this Free Conference Committee Report be adopted.

For the Senate:

Story, Chairman

Jenkins

Weeding

For the House:

Raney

McDonough

Hannah

Report adopted.

Conference Committee
on Senate Bill 132
Report No. 1, April 18, 1989

Mr. President and Mr. Speaker:

We, your Conference Committee on Senate Bill 132 met and considered:

The House Committee on Taxation amendments to SB 132 (third reading copy — blue) dated March 31, 1989; and

The House Committee of the Whole amendments to SB 132 (third reading copy — blue) offered by Rep. Guthrie and dated April 6, 1989.

We recommend:

The House Taxation committee amendments be accepted;

The House Committee of the Whole amendments offered by Rep. Guthrie be rejected; and

SB 132 (reference copy — salmon) be amended as follows:

1. Title, lines 9 and 10.

Following: "TREASURER," on line 9

Strike: remainder of line 9 through "TAXES;" on line 10

2. Title, line 16.

Strike: "15-16-101,"

3. Title, line 18.

Strike: "AND APPLICABILITY PROVISIONS"

4. Page 4, line 1 through page 5, line 23.

Strike: section 1 in its entirety

Renumber: subsequent section

5. Page 6, lines 18 and 23.

Strike: "PROVIDED IN [SECTION 3]"

Insert: "of 5/6 of 1% per month from and after such delinquency until paid and 2% shall be added to the delinquent taxes as a penalty"

6. Page 7, line 13 through page 8, line 5.

Strike: section 3 in its entirety

Renumber: subsequent sections

7. Page 20, line 24 through page 21, line 8.

Strike: section 13 in its entirety

And this Conference Committee Report be adopted.

For the Senate:

Hager, Chairman
Crippen
Mazurek

For the House:

Schye
Ream
Guthrie

Report adopted.

Free Conference Committee
on Senate Bill 209
Report No. 1, April 17, 1989

Mr. President and Mr. Speaker:

We, your Free Conference Committee on Senate Bill 209, considered and recommend Governor's amendments be accepted and SB 209 (reference copy — salmon) be amended as follows:

1. Title, line 7.

Strike: "AN"

2. Title, line 8.

Strike: "DATE"

Insert: "DATES"

3. Page 1, line 15.

Strike: "\$30,000"

Insert: "\$25,000"

4. Page 2, line 24.

Following: line 23

Insert: "Section 2. Section 3-5-602, MCA, is amended to read:

"3-5-602. Salary and expenses — apportionment. (1) Each reporter is entitled to receive a base annual salary of not less than \$16,000 \$23,000 or more than ~~\$23,000~~ \$30,000 and no other compensation except as provided in 3-5-604. The salary shall be set by the judge for whom the reporter works. The salary is payable in monthly installments out of the general funds of the counties comprising the district for which the reporter is appointed and out of an appropriation made to the department of commerce as provided in subsection (2).

(2) The department of commerce shall determine the total number of civil and criminal actions commenced in the preceding year in the district court or courts in the judicial district for which a reporter is appointed. The state shall pay its portion of the reporter's salary based on the proportion of the total number of criminal actions commenced in the district court or courts in the district and the amount appropriated for that purpose. Each county shall pay its portion of the remainder of the salary based on its proportion of the total number of civil and criminal actions commenced in the district courts in the district. The judge or judges of the district shall, on January 1 of each year or as soon thereafter as possible, apportion the amount of the salary to be paid by each county in his or their district on the basis prescribed in this subsection. The portion of the salary payable by a county is a district court expense within the meaning of 7-6-2351, 7-6-2352, and 7-6-2511.

(3) In judicial districts comprising more than one county, the reporter is allowed, in addition to the salary and fees provided for

in subsection (1), his actual and necessary travel expenses, as defined and provided in 2-18-501 through 2-18-503, when he goes on official business to a county of his judicial district other than the county in which he resides, from the time he leaves his place of residence until he returns thereto. The expenses shall be apportioned and payable in the same way as the salary.””

Renumber: subsequent sections

5. Page 3, line 12.

Strike: “date”

Insert: “dates”

Following: “.”

Insert: “(1)”

Strike: “[This”

Insert: “Except as provided in subsection (2), [this”

6. Page 3, line 14.

Insert: “(2) [Section 2] is effective July 1, 1991.”

And this Free Conference Committee Report be adopted.

For the Senate:

B. Brown, Chairman
Jenkins
Mazurek

For the House:

Spaeth
Whalen
Hannah

Report adopted.

MESSAGES FROM THE GOVERNOR

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, Montana 59620

April 17, 1989

The Honorable Jack Galt
President of the Senate
State Capitol
Helena, Montana 59620

Dear Representative Vincent and Senator Galt:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby make the amendatory veto to Senate Bill 105, “AN ACT REQUIRING THE DEPARTMENT OF JUSTICE TO PROVIDE TO THE DIRECTOR OF THE SELECTIVE SERVICE SYSTEM LISTS OF DRIVER’S LICENSE HOLDERS WHO WERE BORN IN SPECIFIED YEARS; AND AMENDING SECTION 2-6-109, MCA.” This amendatory veto is made for the following reasons.

Senate Bill 105 is designed to allow the Department of Justice to release to the Selective Service System a list of persons born in specified years who are holders of Montana driver’s licenses for the exclusive purpose of assuring compliance with the military draft registration requirements of the federal government.

As originally drafted, this bill included the language “The Department may not provide the social security numbers of persons on the list.” This language was straightforward and prohibited the release of a person’s Social Security number to the Selective Service System only.

The House amended this language to prohibit the release of such a person's Social Security or driver's license number "for any purpose." The driver's license number was apparently added because the Department of Justice uses a person's Social Security number as the driver's license number unless the driver does not want the Social Security number used for that purpose, in which case another random number is assigned.

This minor amendment is of great concern to the Department, because it allows an argument that such person's Social Security number or driver's license number may not be released to anyone for any purpose. The language can be viewed as a prohibition on the release of those numbers to anyone for any purpose.

As the Selective Service System does not care whether it gets a Social Security number or driver's license number from the Department, the original language was acceptable with the Department and with the Selective Service System. However, the Department (as well as the insurance industry) is greatly concerned with any limitation on the release of a driver's license number (which may or may not be the Social Security number, at the discretion of the driver).

The Department receives approximately 350,000 requests for driver's record checks each year. The majority of these requests for driver's records come from insurance companies who are obtaining the records for the purpose of establishing rates for their clients. A sizable percentage of the requests also come from law enforcement agencies involved with the general regulation of drivers and driving behavior. Because the driver's license number is one of the principle identifiers in the driver licensing system, any prohibition on its release will make it more difficult for those entities requesting records to verify if, in fact, the record they have before them is the appropriate one.

It will also be difficult for the Department to administer the release of driving records if it must keep track of all those individuals whose names have been turned over to the Selective Service System and then treat the release of those records in a different manner than the release of a record for an individual whose name has not been given to the Selective Service System.

My amendment would make it clear that the prohibition on release of the driver's license number applies only to the Selective Service System. It is my understanding that Department of Justice personnel have spoken with all ten co-sponsors of Senate Bill 105. They concur as to the language of the proposed amendment.

I urge your concurrence in this amendment as well.

Governor's Amendment to SB 105

1. Page 5, line 4.

Following: "provide"

Insert: "the selective service system"

Sincerely,

STAN STEPHENS
Governor

The Honorable John Vincent
Speaker of the House
State Capitol

April 18, 1989

Helena, Montana 59620
The Honorable Jack Galt
President of the Senate
State Capitol
Helena, Montana 59620

Dear Representative Vincent and Senator Galt:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby make the amendatory veto to Senate Bill 303, "AN ACT REQUIRING LICENSURE OF ESCROW BUSINESSES BY THE DEPARTMENT OF COMMERCE; REGULATING ESCROW BUSINESSES; PROVIDING FOR FEES AND PENALTIES." This amendatory veto is made for the following reasons.

As introduced, Senate Bill 303 provided for licensure and regulation of escrow agents. As amended, the bill now provides for licensure and regulation of escrow businesses. However, through legislative inadvertence, one reference to escrow "agent" was not amended to read escrow "business".

My first technical amendment is needed to provide consistency throughout the bill. It strikes the one remaining reference to "agent" and replaces it with a reference to "business".

Senate Bill 303 originally provided, at Section 12(2)(c), that escrow instructions could be amended only by written agreement "of all parties" to the underlying escrow agreement. The legislature, however, concluded that if the original parties to the agreement have assigned their interests therein, it would be inappropriate to require their, rather than their assignees', consent to modifications of the escrow instructions. Consequently, the phrase "of all parties" was deleted from page 13, line 6, of the bill (amended reference copy). This deletion, however, inadvertently resulted in confusion as to exactly how escrow instructions may be altered.

My second and third proposed amendments will clearly state the legislature's intention with regard to this matter.

The sponsor concurs with these amendments. I urge your concurrence as well.

Governor's Amendments to SB 303

1. Page 7, line 14.
Strike: "agent"
Insert: "business"
2. Page 13, line 6.
Following: "agreement"
Insert: "of all parties"
3. Page 13, line 7.
Following: "agreement"
Insert: "or their assigns"

Sincerely,

STAN STEPHENS
Governor

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 65, conference committee report, adopted as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Boharski, Campbell, Clark, Glaser, O'Keefe, Patterson.

Total 6

Excused: DeBruycker.

Total 1

Absent or not voting: Hansen, Kadas.

Total 2

SB 385, conference committee report, adopted as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: O'Keefe.

Total 1

Excused: DeBruycker.

Total 1

Absent or not voting: None.

Total 0

Representative Harper moved the House recess until 5:00 p.m.

Motion carried.

House recessed at 4:35 p.m.

House reconvened at 5:25 p.m. Mr. Speaker in the Chair.

MOTIONS

Representative Bardanouve moved SB 469 be taken from the table in the Committee on Taxation and printed and placed on second reading.

Representative Daily moved the previous question. Motion carried.

Thereupon, the motion to place SB 469 on second reading failed. (13-86)

Representative Harper moved the rules be suspended to permit transmittal from the Senate to the House of HB 791. Motion carried.

Representative Harper moved the rules be suspended to permit the late introduction of SB 473 and SB 474. Motion carried.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House: 4/17/89

HB 320, introduced by Mercer

HB 354, introduced by Mercer

HB 469, introduced by Addy

HB 535, introduced by J. Brown

HB 739, introduced by Boharski

House bill concurred in as amended and returned to the House for concurrence in Senate amendments: 4/18/89

HB 791, introduced by Ramirez

Senate bills passed and transmitted to the House for concurrence: 4/18/89

SB 473, introduced by Lynch

SB 474, introduced by Mazurek

House amendments concurred in: 4/18/89

SB 410, introduced by Beck

The Senate, on 4/18/89, acceded to the request of the House and appointed a conference committee to meet with a like committee from the House to confer on HB 566.

President Galt appointed the following members:

Senator B. Brown, Chairman

Senator Thayer

Senator Walker

The Senate, on 4/18/89, acceded to the request of the House and appointed a conference committee to meet with a like committee from the House to confer on HB 641.

President Galt appointed the following members:

Senator Thayer, Chairman

Senator Severson

Senator Halligan

The Senate, on 4/18/89, acceded to the request of the House and appointed a conference committee to meet with a like committee from the House to confer on HB 766.

President Galt appointed the following members:

Senator Crippen, Chairman

Senator Hager

Senator Norman

Free conference committee report adopted: 4/18/89

HB 626, introduced by Whalen
SB 65, introduced by Jenkins
SB 128, introduced by Manning
SB 315, introduced by Rapp-Svrcek
SB 385, introduced by Harp

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved the House adjourn until 2:00 p.m.,
Wednesday, April 19, 1989.

Motion carried.

House adjourned at 7:00 p.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

EIGHTY-EIGHTH LEGISLATIVE DAY

Helena, Montana
April 19, 1989

House Chambers
State Capitol

House convened at 2:12 p.m., Mr. Speaker in the Chair. Invocation by Representative Kasten. Pledge of Allegiance to the Flag.

Roll call. All members present except Bradley, DeBruycker, Spaeth, and Thoft, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 4/19/89
Signed by the Speaker at 5:30 p.m., 4/18/89: SB 297, SB 333, SB 341, SB 379.
Signed by the Speaker at 8:30 a.m., 4/19/89: HB 159, HB 496, HB 569, HB 619, HB 663, HB 757, HB 778, HB 782, HB 783, HB 792, HJR 32.
Delivered to the Governor for his approval at 11:45 a.m., 4/19/89: HB 26, HB 32, HB 44, HB 56, HB 60, HB 165, HB 233, HB 304, HB 420, HB 463, HB 526, HB 543, HB 552, HB 583, HB 690, HB 700, HB 709, HB 754, HB 761, HB 774.

BUSINESS AND ECONOMIC DEVELOPMENT (Pavlovich, Chairman): 4/19/89

SB 472, be concurred in. Report adopted.

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on House Bill 28
Report No. 1, April 18, 1989

Mr. President and Mr. Speaker:

We, your Free Conference Committee on House Bill 28, considered and recommend HB 28 (reference copy — salmon) be amended as follows:

1. Title, lines 16 and 17.
Strike: "AND" on line 16
Following: "MCA" on line 17
Insert: "; AND PROVIDING A DELAYED EFFECTIVE DATE"
2. Page 1, line 19.
Following: line 18
Insert:

"STATEMENT OF INTENT

A statement of intent is required for this bill because [section 2] grants the commissioner of labor and industry authority to adopt rules to establish the minimum wage provided for in 39-3-404(1). It is the intent of the legislature that the commissioner, in adopting rules, shall establish a minimum wage that is the same minimum hourly wage rate as provided under the federal Fair Labor Standards Act, but not to exceed \$4 an hour."

3. Page 4, line 12.
Strike: "180"
Insert: "120 calendar"
4. Page 4.
Following: line 22

HOUSE JOURNAL
REGULAR SESSION

Insert: "NEW SECTION. Section 5. Effective date. [This act] is effective January 1, 1990."

And this Free Conference Committee Report be adopted.

For the Senate:

Aklestad, Chairman
Devlin
Lynch

For the House:

Harrington
Driscoll
Smith

Report adopted.

Conference Committee
on House Bill 766
Report No. 1, April 18, 1989

Mr. President and Mr. Speaker:

We, your Conference Committee on House Bill 766 met and considered:

The Senate Committee on Taxation's report of April 11, 1989, (pink copy) amending HB 766 (third reading — blue copy).

We recommend House Bill 766 (reference copy — salmon) be amended as follows:

1. Strike: the amendments contained in the Senate Committee on Taxation's report of April 11, 1989, in their entirety

And this Conference Committee Report be adopted.

For the Senate:

Crippen, Chairman
Hager
Norman

For the House:

Driscoll
Elliott
Patterson

Report adopted.

Free Conference Committee
on Senate Bill 283
Report No. 1, April 18, 1989

Mr. President and Mr. Speaker:

We, your Free Conference Committee on Senate Bill 283, considered and recommend SB 283 (reference copy — salmon) be amended as follows:

1. Title, line 6.

Strike: "DECEMBER 31"

Insert: "JUNE 30"

2. Title, line 8.

Following: ".,"

Insert: "TO CLARIFY THE AVAILABILITY OF THE TAX CREDITS;"

3. Title, line 9.

Following: "AN"

Insert: "IMMEDIATE"

4. Page 2, line 13.

Strike: "DECEMBER 31"

Insert: "June 30"

5. Page 2, line 14.

Strike: "\$1.5"

Insert: "\$3"

6. Page 3, line 9.

Following: "of"

Strike: "subsection"

Insert: "subsections"

Following: "(2)"

Insert: "and (8)"

7. Page 4, line 6.

Strike: "3 1/2"

Insert: "4"

8. Page 4, line 7.

Strike: "1988"

Insert: "1987"

9. Page 4, line 8.

Following: line 7

Insert: "(8) An individual, small business corporation, partnership, or corporate taxpayer who obtains the tax credit allowed under subsection (5) may not obtain credits in excess of the \$150,000 limit contained in subsection (5) by making investments as more than one entity. A partner or shareholder in a small business corporation may not obtain more than \$150,000 in credits as an individual and as the partnership or small business corporation. A corporate taxpayer that obtains the maximum \$150,000 credit may not obtain additional credits through investments by wholly owned subsidiaries or affiliates."

10. Page 4, line 13.

Strike: "July 1, 1989"

Insert: "on passage and approval"

And this Free Conference Committee Report be adopted.

For the Senate:

Crippen, Chairman

Thayer

Van Valkenburg

For the House:

Harrington

Driscoll

Giacometto

Report adopted.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following Senate bills were introduced, read first time, and referred to committees:

SB 473, introduced by Lynch, Walker, Mazurek, Meyer, Quilici, Pavlovich, Marks, referred to Committee on Highways and Transportation

SB 474, introduced by Mazurek, Thayer, Lynch, O'Keefe, Walker, Rasmussen, Grady, Bradley, Quilici, Driscoll, Menahan, Addy, Harper, Wyatt, Nisbet, Spaeth, O'Connell, McCormick, Harrington, J. Brown, Cocchiarella, Daily, Pavlovich, Rice, D. Brown, Strizich, Rehberg, Simpkins, Kadas, Squires, Vincent, Bachini, Thoft, Marks, referred to Committee on Highways and Transportation

MOTIONS

Representative Cody moved the conference committee on HB 452 be dissolved and the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 452. Motion carried.

Speaker Vincent appointed the following members:

Representative Cody, Chairman
Representative Nisbet
Representative Cobb

Representative Harper moved the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate to confer on House amendments to SB 458. Motion carried.

Speaker Vincent appointed the following members:

Representative Ream, Chairman
Representative Stang
Representative Rehberg

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Rehberg in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Representative Addy excused at this time.

HB 54 - Representative Hanson moved the Governor's amendments to HB 54 be concurred in.

Representative Gervais made a substitute motion Governor's amendments to HB 54 be not concurred in. Motion carried as follows:

Ayes: Bachini, Blotkamp, Brooke, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connolly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Gervais, Good, Grady, Hansen, Harper, Harrington, Johnson, Kadas, Kilpatrick, Kimberley, Koehnke, McCormick, McDonough, Menahan, Moore, L. Nelson, Nisbet, O'Connell, Pavlovich, Peck, Quilici, Raney, Ream, Rice, Russell, Schye, Squires, Stang, Stepler, Stickney, Strizich, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 50

Noes: Aafedt, Boharski, Campbell, Cobb, Compton, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Iverson, Kasten, Keller, Knapp, Lee, Marks, Mercer, R. Nelson, T. Nelson, O'Keefe, Owens, Patterson, Peterson, Phillips, Ramirez, Rehberg, Simon, Simpkins, Smith, Spring, Swift, Swysgood, Thomas, Wallin, Zook.

Total 42

Excused: Addy, Bradley, DeBruycker, Spaeth, Thoft.
Total 5

Absent or not voting: Bardanouve, D. Brown, Roth.
Total 3

Representative Addy present at this time.

HB 202 - Representative Pavlovich moved Senate amendments to HB 202 be concurred in. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, J. Brown, Cocchiarella, Cohen, Connelly, Daily, Darko, Driscoll, Elliott, Eudaily, Gervais, Glaser, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, Nisbet, O'Keefe, Patterson, Pavlovich, Peck, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Spring, Squires, Stickney, Strizich, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 59

Noes: Aafedt, Campbell, Clark, Cobb, Cody, Compton, Davis, DeMars, Ellison, Giacometto, Gilbert, Good, Gould, Grinde, Guthrie, Hayne, Hoffman, Iverson, Kasten, Knapp, Marks, L. Nelson, R. Nelson, T. Nelson, Owens, Peterson, Simon, Simpkins, Smith, Stang, Stepler, Swift, Swysgood, Thomas, Wallin.

Total 35

Excused: Bradley, DeBruycker, Spaeth, Thoft.

Total 4

Absent or not voting: D. Brown, O'Connell.

Total 2

HB 707 - Representative Iverson moved Senate amendments to HB 707 be not concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bardanouve, Blotkamp, Boharski, Brooke, J. Brown, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Grady, Hannah, Hanson, Harper, Harrington, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Lee, Marks, McCormick, McDonough, Menahan, Mercer, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Squires, Stang, Stickney, Strizich, Thomas, Wallin, Whalen, Wyatt, Mr. Speaker.

Total 64

Noes: Bachini, Campbell, Clark, Cobb, Davis, DeMars, Glaser, Good, Gould, Grinde, Guthrie, Hansen, Hayne, Hoffman, Kasten, Keller, Knapp, Koehnke, Moore, L. Nelson, Patterson, Peck, Ramirez, Schye, Smith, Spring, Stepler, Swift, Swysgood, Westlake, Zook.

Total 31

Excused: Bradley, DeBruycker, Spaeth, Thoft.

Total 4

Absent or not voting: D. Brown.

Total 1

Representative D. Brown excused at this time.

HB 760 - Representative Hannah moved Senate amendments to HB 760 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais,

Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stickney, Strizich, Swift, Swysgood, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: Bachini, Cody, Giacometto, McCormick, Owens, Peck, Stang, Steppler.

Total 8

Excused: Bradley, DeBruycker, Spaeth, Thoft.

Total 4

Absent or not voting: Marks.

Total 1

HB 791 - Representative Ramirez moved Senate amendments to HB 791 be not concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Compton, Connelly, Daily, Darko, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Guthrie, Hannah, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kimberley, Knapp, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, O'Connell, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spring, Squires, Steppler, Swift, Swysgood, Thomas, Wallin, Westlake, Wyatt, Zook.

Total 70

Noes: Bachini, Bardanouve, Cody, Cohen, Davis, DeMars, Elliott, Gervais, Good, Grinde, Kilpatrick, Koehnke, Lee, Marks, McCormick, Nisbet, O'Keefe, Peck, Schye, Stang, Stickney, Strizich, Whalen, Mr. Speaker.

Total 24

Excused: Bradley, DeBruycker, Spaeth, Thoft.

Total 4

Absent or not voting: Grady, Hansen.

Total 2

HB 301 - Representative Bardanouve moved the conference committee report on HB 301 be adopted. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Good, Gould, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: Boharski, Campbell, Cobb, Glaser, Grinde, Guthrie.

Total 6

Excused: Bradley, DeBruycker, Spaeth, Thoft.

Total 4

Absent or not voting: Gervais, Grady, Hannah.

Total 3

HB 567 - Representative Harrington moved the conference committee report on HB 567 be adopted. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Bradley, DeBruycker, Spaeth, Thoft.

Total 4

Absent or not voting: Kadas, Peterson, Ramirez.

Total 3

HB 752 - Representative Raney moved the conference committee report on HB 752 be adopted. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: Campbell, Grinde, Guthrie, Peterson.

Total 4

Excused: Bradley, DeBruycker, Spaeth, Thoft.

Total 4

Absent or not voting: Daily, Kadas, Pavlovich.

Total 3

SB 132 - Representative Schye moved the conference committee report on SB 132 be adopted. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 84

Noes: Campbell, Clark, Cobb, Good, Grinde, Guthrie, Patterson, Rice, Westlake.

Total 9

Excused: Bradley, DeBruycker, Spaeth, Thoft.

Total 4

Absent or not voting: Grady, Hanson, Kadas.

Total 3

SB 209 - Representative Quilici moved the conference committee report on SB 209 be placed at the bottom of the second reading board. Motion carried.

SB 226 - Representative O'Keefe moved the conference committee report on SB 226 be adopted. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 85

Noes: Bardanouve, Boharski, Campbell, Cobb, Grinde, Kasten, Raney, Swift, Swysgood.

Total 9

Excused: Bradley, DeBruycker, Spaeth, Thoft.

Total 4

Absent or not voting: Grady, Kadas.

Total 2

Representatives Bradley, Spaeth, and Thoft present at this time.

SB 241 - Representative Spaeth moved the conference committee report on SB 241 be adopted.

Representative Phillips made a substitute motion the conference committee report on SB 241 be not adopted. Motion carried as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen,

Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook.

Total 91

Noes: Addy, Hansen, Moore, O'Connell, Whalen, Mr. Speaker.

Total 6

Excused: None.

Total 0

Absent or not voting: DeBruycker, Ellison, Mercer.

Total 3

SB 282 - Representative O'Keefe moved SB 282 be concurred in.

Representative O'Keefe made a substitute motion SB 282 be placed at the bottom of the second reading board for the purpose of amendment. Motion carried.

SJR 21 - Representative Hansen moved SJR 21 be concurred in. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Grady, Guthrie, Hansen, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Schye, Simon, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 74

Noes: Aafedt, Cobb, Ellison, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Hanson, Hayne, Lee, Marks, R. Nelson, T. Nelson, Owens, Patterson, Phillips, Roth, Simpkins, Smith, Spring, Whalen.

Total 23

Excused: DeBruycker.

Total 1

Absent or not voting: Clark, Hannah.

Total 2

SB 209 - Representative Spaeth moved the conference committee report on SB 209 be adopted.

Representative Simpkins made a substitute motion the conference committee report on SB 209 be not adopted. Motion failed as follows:

Ayes: Aafedt, Bardanouve, Boharski, Campbell, Clark, Compton, Ellison, Giacometto, Gilbert, Glaser, Grinde, Hanson, Hayne, Hoffman, Kasten,

Marks, Owens, Peterson, Rice, Roth, Simpkins, Smith, Spring, Stang, Stepler, Swift, Wyatt, Zook.

Total 28

Noes: Addy, Bachini, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Good, Gould, Grady, Guthrie, Hannah, Hansen, Harper, Harrington, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Russell, Schye, Simon, Spaeth, Squires, Stickney, Strizich, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Mr. Speaker.

Total 68

Excused: DeBruycker.

Total 1

Absent or not voting: Cobb, Lee, Patterson.

Total 3

Thereupon, the conference committee report on SB 209 was adopted as follows:

Ayes: Addy, Bachini, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Good, Gould, Grady, Guthrie, Hannah, Hansen, Harper, Harrington, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Spaeth, Squires, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 76

Noes: Aafedt, Bardanouve, Boharski, Campbell, Ellison, Gilbert, Glaser, Grinde, Hanson, Hayne, Hoffman, Kasten, Owens, Patterson, Peck, Peterson, Simpkins, Smith, Spring, Stang, Stepler, Swysgood.

Total 22

Excused: DeBruycker.

Total 1

Absent or not voting: Lee.

Total 1

SB 282 - Representative O'Keefe moved SB 282, third reading copy, be amended as follows:

1. Page 1, line 22.

Strike: "50%"

Insert: "15%"

2. Page 1, line 23.

Following: "but"

Insert: "the credit"

Following: "exceed"

Strike: "\$2,500"

Insert: "\$1,250"

Following: "year"

Insert: “,”

Amendment passed as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simpkins, Spaeth, Spring, Squires, Steppler, Stickney, Strizich, Swift, Thomas, Westlake, Mr. Speaker.

Total 79

Noes: Addy, Cobb, Hannah, Hayne, Keller, Owens, Peterson, Ramirez, Simon, Smith, Stang, Swysgood, Thoft, Wallin, Whalen, Zook.

Total 16

Excused: DeBruycker.

Total 1

Absent or not voting: Good, Grady, Marks, Wyatt.

Total 4

Representative O'Keefe moved SB 282, as amended, be concurred in.
Motion carried as follows:

Ayes: Addy, Bachini, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Glaser, Good, Gould, Hansen, Harper, Harrington, Johnson, Kadas, Kilpatrick, Kimberley, Koehnke, McCormick, McDonough, Menahan, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, Rice, Russell, Schye, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 63

Noes: Aafedt, Boharski, Clark, Compton, Ellison, Giacometto, Gilbert, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Iverson, Kasten, Keller, Knapp, Lee, Marks, Mercer, R. Nelson, Owens, Patterson, Peterson, Phillips, Ramirez, Rehberg, Roth, Smith, Swift, Swysgood, Thoft, Zook.

Total 33

Excused: DeBruycker.

Total 1

Absent or not voting: Bardanouve, Darko, Grady.

Total 3

Representative Harper moved the committee rise, report progress and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Rehberg moved the adoption of the committee report. Report adopted. (83-15)

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House resolution was introduced, read first time, and referred to committee:

HJR 50, introduced by Boharski, referred to Committee on Labor and Employment Relations

Representative Harper moved the House recess subject to the call of the Chair.

Motion carried.

House recessed at 4:47 p.m.

House reconvened at 7:20 p.m. Mr. Speaker in the Chair.

Representative O'Connell excused at this time.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 4/19/89

Correctly enrolled: HB 507, HB 550, HB 703, HB 775, HB 776, HB 777, HB 789.

Examined by the sponsors and found to be correct:

HB 507 - Connelly

HB 550 - Vincent

HB 703 - Ramirez

HB 775 - Connelly

HB 776 - Connelly

HB 777 - Connelly

HB 789 - Connelly

Signed by the Speaker at 4:00 p.m., 4/19/89: HB 507, HB 550, HB 703, HB 775, HB 776.

HIGHWAYS AND TRANSPORTATION (Stang, Chairman): 4/19/89

SB 473, be concurred in. Report adopted.

SB 474, be concurred in. Report adopted.

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on House Bill 452
Report No. 1, April 19, 1989

Mr. President and Mr. Speaker:

We, your Free Conference Committee on House Bill 452, considered and recommend HB 452 (reference copy — salmon) be amended as follows:

1. Page 7, line 1.

Following: "23"

Insert: " , if funds are specifically appropriated for the inclusion of these services in the Montana medicaid program"

And this Free Conference Committee Report be adopted.

For the Senate:

Keating, Chairman
Harding
Regan

For the House:

Cody
Nisbet
Cobb

Report adopted.

Free Conference Committee
on Senate Bill 95
Report No. 2, April 18, 1989

Mr. President and Mr. Speaker:

We, your Free Conference Committee on Senate Bill 95, considered and recommend the House Committee on Appropriations amendment be accepted and SB 95 (reference copy — salmon) be amended as follows:

1. Title, line 7.

Following: "ALLOWANCE"

Insert: "AND THE MEAL ALLOWANCES"

2. Page 1, line 23.

Following: "(b)"

Insert: "(i)"

3. Page 1, line 25.

Following: "authorized"

Insert: ":

(A)"

4. Page 2, line 1.

Following: "lodging,"

Insert: "except as provided in subsection (3),"

5. Page 2, line 2.

Strike: ", and"

Insert: ";

(B)"

6. Page 2, lines 2 and 3.

Strike: ", except" on line 2 through "\$3" on line 3

Insert: ";

(C) \$3.50"

7. Page 2, lines 3 and 4.

Following: "meal" on line 3

Strike: ", " and "\$3.50" on line 4

Insert: ";

(D) \$4"

8. Page 2, line 4.

Following: "midday meal"

Strike: ", "

Insert: ", "

Strike: "\$8"

Insert: "(E) \$8.50"

Following: "evening meal."

Insert: "(ii)"

And this Free Conference Committee Report be adopted.

For the Senate:

Rasmussen, Chairman

Aklestad

Boylan

For the House:

Cocchiarella

O'Keefe

Wallin

Report adopted.

Free Conference Committee
on Senate Bill 427
Report No. 2, April 19, 1989

Mr. President and Mr. Speaker:

We, your Free Conference Committee on Senate Bill 427, considered and recommend SB 427 (reference copy — salmon) be amended as follows:

1. Page 1, line 11.
Following: line 10
Insert:

“STATEMENT OF INTENT

Although this bill grants no authority to adopt rules, the legislature intends that the legislative audit committee, upon receiving a report from an applicant, only be required to hold a public hearing and make a determination of the need for a new board or the potential for public harm if the applicant remains unlicensed. The legislature also intends that the office of the legislative auditor may not perform an audit of the application.”

2. Page 8, line 22.
Strike: “\$2,000”
Insert: “\$1,000”

And this Conference Committee Report be adopted.

For the Senate:

Rasmussen, Chairman
Himsl
Jacobson

For the House:

Harper
J. Brown
R. Nelson

Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:

4/19/89

HB 277, introduced by Raney
HB 329, introduced by Daily
HB 398, introduced by Westlake
HB 529, introduced by Boharski
HB 601, introduced by O’Keefe
HB 759, introduced by O’Connell
HB 769, introduced by Elliott
HJR 43, introduced by Steppler

House bills concurred in as amended and returned to the House for concurrence in Senate amendments:

4/19/89

HB 193, introduced by Thoft
HB 325, introduced by Marks
HB 333, introduced by Ream
HB 510, introduced by Vincent
HB 547, introduced by Johnson
HB 717, introduced by Grinde
HB 718, introduced by Menahan
HB 768, introduced by Addy
HB 773, introduced by Wyatt
HB 780, introduced by Darko
HJR 37, introduced by Menahan

House bills concurred in and returned to the House for concurrence in Governor’s amendments:

4/19/89

HB 245, introduced by Quilici

HB 364, introduced by R. Nelson

Senate bills passed and transmitted to the House for concurrence: 4/19/89

SJR 22, introduced by Harp

SJR 23, introduced by Halligan

House amendments concurred in:

4/19/89

SJR 19, introduced by Story

SJR 20, introduced by Bengtson

Senate bills concurred in and returned to the House for concurrence in Governor's amendments: 4/19/89

SB 215, introduced by Halligan

SB 285, introduced by Halligan

The Senate, on 4/19/89, dissolved the conference committee on HB 452 and appointed a free conference committee to meet with a like committee from the House to confer on Senate amendments to HB 452.

President Galt appointed the following members:

Senator Keating, Chairman

Senator Harding

Senator Regan

The Senate, on 4/19/89, acceded to the request of the House and appointed a free conference committee to meet with a like committee from the House to confer on Senate amendments to HB 707.

President Galt appointed the following members:

Senator Galt, Chairman

Senator Beck

Senator Yellowtail

The Senate, on 4/19/89, dissolved the free conference committee on SB 377 and appointed a new free conference committee to meet with a like committee from the House to confer on House amendments to SB 377.

President Galt appointed the following members:

Senator Gage, Chairman

Senator Harding

Senator Halligan

The Senate, on 4/18/89, failed to concur in House amendments to SB 468 and appointed a free conference committee, requesting the House appoint a like committee to confer on House amendments to SB 468.

President Galt appointed the following members:

Senator Harp, Chairman

Senator Gage

Senator Pinsoneault

Free conference committee report adopted:

4/19/89

HB 786, introduced by Addy

SB 111, introduced by Boylan

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 80, Governor's amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: DeBruycker, O'Connell.

Total 2

Absent or not voting: Hayne, Menahan.

Total 2

HB 486, conference committee report, adopted as follows:

Ayes: Addy, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Grady, Hansen, Harper, Harrington, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Koehnke, Lee, McCormick, McDonough, Mercer, Moore, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, Rice, Russell, Simpkins, Spaeth, Squires, Stang, Stickney, Strizich, Wyatt, Mr. Speaker.

Total 53

Noes: Aafedt, Bachini, Boharski, Campbell, Clark, Ellison, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Kasten, Keller, Knapp, Marks, L. Nelson, R. Nelson, T. Nelson, Owens, Patterson, Peterson, Phillips, Ramirez, Rehberg, Roth, Schye, Simon, Smith, Spring, Stepler, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Zook.

Total 43

Excused: DeBruycker, O'Connell.

Total 2

Absent or not voting: Giacometto, Menahan.

Total 2

SB 111, conference committee report, adopted as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye,

Simon, Simpkins, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: Campbell, Clark, Cobb, Glaser, Grinde, Owens, Swysgood.

Total 7

Excused: DeBruycker, O'Connell.

Total 2

Absent or not voting: Menahan, Smith.

Total 2

MOTIONS

Representative Harper moved the Speaker be authorized to appoint a free conference committee to meet a like committee from the Senate to confer on Senate amendments to HB 707. Motion carried.

Speaker Vincent appointed the following members:

Representative O'Keefe, Chairman

Representative Spaeth

Representative Grady

Representative Harper moved the Speaker be authorized to appoint a free conference committee to meet a like committee from the Senate to confer on Senate amendments to HB 791. Motion carried.

Speaker Vincent appointed the following members:

Representative Harrington, Chairman

Representative Schye

Representative Ramirez

Representative Harper moved the Speaker be authorized to appoint a free conference committee to meet a like committee from the Senate to confer on House amendments to SB 468. Motion carried.

Speaker Vincent appointed the following members:

Representative Driscoll, Chairman

Representative Kadas

Representative Cobb

Representative Harper moved the rules be suspended to allow consideration of SB 282 on third reading this legislative day. Motion carried.

Representative Harper moved the rules be suspended to allow consideration of the free conference committee report on HB 100 on third reading this legislative day. Motion carried.

Representative Schye moved the conference committee on HB 618 be dissolved and consideration of Senate amendments to HB 618 be placed on second reading the 89th legislative day. Motion carried.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

4/19/89

Correctly engrossed: SB 282.

Signed by the Speaker at 4:30 p.m., 4/19/89: HB 777, HB 789.

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on House Bill 100
Report No. 1, April 19, 1989

Mr. Speaker and Mr. President:

We, your Free Conference Committee on House Bill 100 considered and recommend that HB 100 (reference copy — salmon) be amended as follows:

BP-1.

1. Page 3, line 5.

Following: “.”

Insert: “The approving authority shall submit its analysis of the documented cost savings to the legislative auditor. Wages and fringe benefits must be separately documented from other cost savings. The legislative audit committee shall review the approving authority’s analysis and report to the 52nd legislature on potential long-term budget impacts.”

A-1. This amendment reduces the appropriation for the Forestry Task Force from \$16,500 to \$8,000 for the biennium.

1. Page A-3, line 15.

Strike: “16,500”

Insert: “8,000”

A-2. This amendment adds the following funding in the judiciary for judicial salary increases in accordance with Senate Bill 196:

	FY90	FY91
Supreme Court Program	\$12,284	\$ 29,682
District Court Program	64,667	122,448

The balance of funding for Senate Bill 196 is contained in House Bill 786.

1. Page A-5, line 6.

Strike: “1,368,057 1,356,374”

Insert: “1,380,341 1,386,056”

2. Page A-5, line 14.

Strike: “2,229,691 2,237,690”

Insert: “2,294,358 2,360,138”

A-3. This amendment provides funding for operating expenses in the Governor’s Office and the Department of Revenue that were formerly covered under statutory appropriations.

1. Page A-6, line 8.

Strike: “50,604”

Insert: “120,604

70,000 (State Special Revenue 1991)”

2. Page A-18, line 10.

Strike: “151,291 150,964”

Insert: “160,476 160,137”

A-4. This amendment reduces general fund support for the Montana Statehood Centennial Office to \$50,000 in fiscal 1990.

1. Page A-7, line 14.

Strike: "150,000"

Insert: "50,000"

A-5. This amendment eliminates funding for 1.00 FTE of the 5.00 FTE added this session for insurance regulation, a general fund reduction of \$22,821 in FY90 and \$21,777 in FY91.

1. Page A-10, line 19.

Strike: "931,192 924,021"

Insert: "908,371 902,244"

A-6. This amendment places a line item on the program expansion to add a 1.00 FTE criminal investigator in the Criminal Investigation Program of the Department of Justice. There is no change in total funding for the program.

1. Page A-13, line 23.

Strike: "240,884 229,069"

Insert: "188,069 188,230"

2. Page A-13.

Following: line 22

Insert: "a. Operations"

3. Page A-13.

Following: line 23

Insert: "b. General Investigator
52,815 40,839 (Gen. Fund)"

A-7. This amendment provides \$93,000 annually for funding the operating costs associated with the implementation of House Bill 703.

1. Page A-18, line 17.

Strike: "7,535,127 7,535,631"

Insert: "7,628,127 7,628,631"

A-8. This amendment line-items the Army National Guard reorganization budget modification.

1. Page A-30, line 10.

Strike: "936,674 819,202 47,641 829,630"

Insert: "a. Operations
797,794 (Gen. Fund 1990)
819,202 (Fed. Spec. Revenue 1990)
808,758 (Gen. Fund 1991)
829,630 (Fed. Spec. Revenue 1991)"

2. Page A-30

Following: line 10

Insert: "b. Reorganization
138,880 (Gen. Fund 1990)
138,883 (Gen. Fund 1991)"

B-1. This amendment reduces the funding level for the salary of the Director of the Department of Health and Environmental Sciences by \$6,000 per year.

1. Page B-1, line 8.

Strike: "213,818 213,075"

Insert: "207,818 207,075"

B-2. This amendment removes the 2.50 FTE and related funding for the Infectious Waste Program that would have been created by House Bill 676.

1. Page B-2, line 7.

Strike: "211,230 2,189,357 203,868 2,243,552"

Insert: "193,478 2,084,357 191,366 2,138,552"

B-3. This amendment provides that any savings resulting from excluding hospitals from the Certificate of Need Program be used to support the MIAMI project.

1. Page B-4.

Following: line 8

Insert: "Any savings in the health planning budget (item 10) resulting from any exclusion of hospitals from the certificate of need program must be used to support the Montana initiative for the abatement of mortality in infants (MIAMI) project."

B-4. For the Department of Social and Rehabilitation Services the following items will be line itemed in House Bill 100 for both the general fund and corresponding federal matching funds.

	<u>Gen. Fund</u>
1. Nursing Home Increase (3%)	1,327,780
2. Nurse Aid Wage Increase	343,357
3. Staff for Waiver Expansion	25,533
4. DD Respite Care	96,418
5. DD Farm in the Dell	255,328
6. Medical Provider Increase	1,949,377
7. Vocational Rehab. Provider Incr.	41,474
8. Visual Services Provider Incr.	3,218

B-5. This amendment moves the appropriation for the Transition to Work Program to the general assistance appropriation and includes language restricting expenditures from the general assistance and Transition to Work Programs.

1. Page B-6, line 25.

Following: "Assistance"

Insert: "and Transition to Work"

2. Page B-7, line 6.

Strike: "4,665,200"

Insert: "4,765,200 (Gen. Fund 1990) 500,000 (Fed. Fund 1990)"

3. Page B-7, line 16.

Strike: "458,311 13,572,621"

Insert: "358,311 13,072,621"

4. Page B-13, line 14.

Strike: "1bii"

5. Page B-13.

Following: line 15

Insert: "Funds appropriated in item 1bii for fiscal 1990 include at least \$100,000 of general fund and \$500,000 federal funds for the Transition to Work Program. If a general assistance recipient accepts funding from the Transition to Work Program in order to accept employment in another state, the recipient is not eligible for the general assistance program for 16 months after his relocation to

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another state. No funds may be transferred out of item 1bii to any other portion of the SRS budget."

B-6. This amendment increases federal authority for SRS to fund medicaid placements in Yellowstone Treatment Center as authorized by House Bill 304. The general fund match will be transferred from the Department of Family Services to SRS as foster care children are determined eligible for medicaid. This amendment adds \$1,500,000 federal funds each year of the biennium. House Bill 304 is on third reading in the Senate after passing second reading.

1. Page B-9.

Following: line 21

Insert: "x. Medicaid Funds for Implementation of House Bill 304
1,500,000 (Fed. Funds 1990) 1,500,000 (Fed. Funds 1991)"

Renumber: subsequent subsection

B-7. This amendment includes language to transfer funds for the Child Support Bureau to the Department of Revenue if necessary.

1. Page B-15.

Following: line 19

Insert: "The funds appropriated for the state child support enforcement bureau in item 3c must be transferred to the department of revenue unless the 51st legislature provides substantive authority transferring the program of child support enforcement to the department of social and rehabilitation services."

B-8. All funds appropriated to the Department of Social and Rehabilitation Services for the development and implementation of The Economic Assistance Management System (TEAMS) is allocated to operating expenses. The narrative to House Bill 100 will reflect this change which reduces personal services by 1.00 FTE and reallocates those funds to operating expenses.

B-9. This amendment reallocates \$58,069 and \$50,667 general fund from the Department of Family Services to the Department of Health and Environmental Sciences for the Montana Initiative for the Abatement of Mortality in Infants (MIAMI) project. The Department of Health and Environmental Sciences will provide any additional needed funds for this project from current appropriations.

1. Page B-2, line 20.

Strike: "233,525 (Gen. Fund 1990) 233,070 (Gen. Fund 1991)"

Insert: "291,594 (Gen. Fund 1990) 283,737 (Gen. Fund 1991)"

2. Page B-3, line 12.

Following: line 11

Insert: "Item 8 includes \$58,069 of general fund in fiscal 1990 and \$50,667 of general fund in fiscal 1991 for implementation of the Montana initiative for the abatement of mortality in infants in HB 773. In addition, the department shall reallocate funds from existing appropriations in HB 100 equal to \$46,541 in fiscal 1990 and \$46,675 in fiscal 1991 to provide up to \$104,610 in fiscal 1990 and up to \$97,342 in fiscal 1991 for total funding of the Montana initiative for the abatement of mortality in infants project."

3. Page B-15, line 25.

Strike: "1,425,639 491,949 1,413,169 493,413"

Insert: "1,412,780 504,808 1,407,840 498,742"

4. Page B-16, line 14.

Strike: "6,633,398"
Insert: "6,588,060"

5. Page B-16, line 15.

Strike: "1,997,702"
Insert: "2,043,040"

6. Page B-16, line 16.

Strike: "6,595,499 2,088,357"
Insert: "6,550,289 2,133,567"

B-10. This amendment funds the expenses associated with the increased responsibilities for enforcement and monitoring of minimum wage claims created by House Bill 28.

1. Page B-5, line 6.

Strike: "1,856,903 1,857,990"
Insert: "1,870,247 1,884,678"

B-11. This amendment adds federal funds for continuation of the Foster Care Independent Living Program.

1. Page B-16, line 18.

Strike: "4,710,246 4,737,617"
Insert: "4,829,374 4,776,862"

B-12. This amendment line items supplemental security income payments for Farm in the Dell and SSSO.

1. Page B-16, line 18.

Strike: "2,496,001 2,573,950"
Insert: "2,486,977 2,525,822"

2. Page B-16.

Following: line 21

Insert: "d. SSI Payments - Farm in Dell and SSSO.
9,024 (Gen. Fund 1990)
48,128 (Gen. Fund 1991)"

B-13. This amendment line items annual leave and holidays for teaching staff at Mountain View School.

1. Page B-17.

Following: line 6

Insert: "a. Operations."

2. Page B-17, line 7.

Strike: "1,816,585 1,836,230"
Insert: "1,803,229 1,822,874"

3. Page B-17.

Following: line 7

Insert: "b. Teacher Annual Leave and Holidays.
13,356 (Gen. Fund 1990)
13,356 (Gen. Fund 1991)"

B-14. This amendment line items annual leave and holidays for teaching staff at Pine Hills School.

1. Page B-17.

Following: line 8

Insert: "a. Operations."

2. Page B-17, line 9.

Strike: "2,988,939 3,005,148"

Insert: "2,963,739 2,979,948"

3. Page B-17.

Following: line 10

Insert: "b. Teacher Annual Leave and Holidays.

25,200 (Gen. Fund 1990)

25,200 (Gen. Fund 1991)"

4. Page B-18.

Following: line 19

Insert: "The appropriation in items 3(b) and 4(b) can only be used to pay annual leave and holiday pay for teachers at Mountain View School and Pine Hills School."

B-15. This amendment specifies legislative directive rather than subcommittee directive to the Department of Family Services.

1. Page B-17, line 17.

Following: "The"

Strike: "human services joint subcommittee directs the"

2. Page B-17, line 17.

Following: "department"

Strike: "to"

Insert: "shall"

C-1. This amendment would add \$5,000 per year to the Public Service Commission budget for out-of-state travel.

1. Page C-1, line 9.

Strike: "1,749,543 1,723,864"

Insert: "1,754,543 1,728,864"

C-2. This amendment restores \$50,000 for a biennial appropriation for Public Service Commission consultants.

1. Page C-1, line 15.

Strike: "0" (Gen. Fund 1990)

Insert: "50,000" (Gen. Fund 1990)

2. Page C-1.

Following: line 21

Insert: "Item 3 is a line item biennial appropriation."

C-3. This amendment line items the program expansion in the Meat and Poultry Inspection Program.

1. Page C-2, line 20.

Strike: "216,786 216,786 216,787 216,785"

Insert: "a. Current Level.

128,888 (Gen. Fund 1990)

128,888 (Fed. Spec. Revenue 1990)

128,888 (Gen. Fund 1991)

128,888 (Fed. Spec. Revenue 1991)

b. Program Expansion.

87,898 (Gen. Fund 1990)

87,898 (Fed. Spec. Revenue 1990)

87,898 (Gen. Fund 1991)

87,898 (Fed. Spec. Revenue 1991)"

C-4. This amendment line items the new gas chromatograph/mass spectrometer and related data systems.

1. Page C-3.

Following: line 16

Insert: "a. Operations"

2. Page C-3, line 18.

Strike: "738,375 727,487"

Insert: "654,283 675,987"

3. Page C-3.

Following: line 18

Insert: "b. Equipment Expansion

84,092 (Gen. Fund 1990)

51,500 (Gen. Fund 1991)"

C-5. This amendment reduces the Alfalfa Leaf Cutter Bee Program to the amounts which the revenues will support. The program is financed with assessments on bee owners and the income is deposited into a proprietary account. Included in the annual appropriations is \$500 each year for the Alfalfa Leaf Cutter Bee committee per diem. The remaining funds are for operating expenses.

1. Page C-3, line 20.

Strike: "31,254 31,405"

Insert: "10,058 10,561"

C-6. This amendment will add 1.00 FTE reclamation specialist, grade 14, and \$1,824 per year in travel costs to the reclamation division to oversee the reclamation bonding program established for small miners with the passage of House Bill 679. The amendment proposes a general fund increase of \$27,763 in FY90 and \$27,780 in FY91. Senate Bill 410 reallocates the metalliferous mines tax to increase the mining industry's contribution to the general fund by an estimated \$120,000 per year. Accordingly, funds are available to support this amendment.

1. Page C-5, line 25.

Strike: "275,287 270,793"

Insert: "303,050 298,573"

C-7. This amendment line items the Director's Office travel budget and prohibits Director's Office staff from utilizing other funds for travel expenses.

1. Page C-18, line 25.

Strike: "733,615 716,782"

Insert: "720,248 703,155"

2. Page C-19.

Following: line 6

Insert: "c. Director's Travel

13,367 13,627"

3. Page C-23.

Following: line 13

Insert: "Travel costs of all staff members in the director's office may be funded only from item 1c."

C-8. This amendment funds the administrative costs to be incurred by the Board of Investments relative to the Conservation Reserve Enhancement Program established by House Bill 717.

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1. Page C-22.

Following: line 7

Insert: "c. Conservation Reserve Enhancement Program
250,000 (Proprietary 1990)
250,000 (Proprietary 1991)"

2. Page C-24.

Following: line 23

Insert: "The funding source item 18c is bonds proceeds to administer the conservation reserve enhancement program in HB 717. No fund transfers may be made into or out of this line item."

D-1. This amendment reduces the Intensive Supervision Program to one additional city.

2. Page D-1, line 21.

Strike: "4,165,920 4,090,001"

Insert: "4,062,883 4,020,873"

D-2. This amendment line items the 2 percent increase given to the Community Mental Health Centers.

1. Page D-3.

Following: line 11

Insert: "i. Operations"

2. Page D-3, line 14.

Strike: "4,144,909 4,249,940"

Insert: "4,042,659 4,043,395"

3. Page D-3.

Following: line 14

Insert: "ii. Community Mental Health Centers
102,250 (Gen. Fund 1990)
206,545 (Gen. Fund 1991)"

D-3. This amendment appropriates funds to the Montana State Library Natural Heritage Program to replace the statutory appropriation which is eliminated by House Bill 583.

1. Page D-7.

Following: line 5

Insert: "3. Natural Heritage Program
349,092 (State Special 1990) 53,268 (Fed. Fund 1990) 318,866
(State Special 1991) 16,092 (Fed. Fund 1991)"

D-4. This amendment reduces general fund and increases proprietary funding for the Historical Society Publications Program by \$11,227 in fiscal 1990 and \$11,262 in fiscal 1991 as per the Governor's potential House Bill 100 cuts.

1. Page D-8, line 10.

Strike: "55,081 428,850 55,123 427,904"

Insert: "43,854 440,077 43,861 439,166"

E-1. This amendment line items annual leave and holiday pay for teachers at the School for the Deaf and Blind.

1. Page E-1, line 24.

Strike: "730,209 733,628"

Insert: "711,326 714,196"

2. Page E-1.

Following: line 24

Insert: "d. Student Services - Annual Leave and Holiday Pay
18,883 (Gen. Fund) 19,432 (Gen. Fund)"

Renumber: subsequent subsections

3. Page E-2, line 6.

Strike: "1,154,870 1,157,934"

Insert: "1,043,039 1,043,091"

4. Page E-2.

Following: line 6

Insert: "f. Education - Annual Leave and Holiday Pay
111,831 (Gen. Fund) 114,843 (Gen. Fund)"

Renumber: subsequent subsection

5. Page E-2.

Following: line 12

Insert: "The appropriation in items 3d and 3f may only be used to pay annual leave and holiday pay for the contract staff at the school for the deaf and blind."

E-2. This amendment appropriates funds to the Board of Public Education Advisory Council to replace the statutory appropriation which is eliminated by House Bill 583.

1. Page E-1.

Following: line 12

Insert: "2. Advisory Council

67,650 (State Special 1990) 67,650 (State Special 1991)"

Renumber: subsequent subsection

E-3. This amendment reduces the housing allowance paid to the superintendent of the School for the Deaf and Blind to \$3,744 each year. This is equivalent to the state's share of the rental income.

1. Page E-1, line 19.

Strike: "196,439 191,637"

Insert: "191,143 186,341"

E-4. This amendment provides funds to the Office of Public Instruction for costs of implementing SB 203 and makes the appropriations contingent upon the passage of SB 203.

1. Page E-2, line 18, under General Fund.

Strike: "1,232,170 1,270,007"

Insert: "1,295,090 1,356,087"

2. Page E-3.

Following: line 7

Insert: "Funding of \$62,920 in fiscal 1990 and \$86,080 in fiscal 1991 in item 2a is contingent on passage of SB 203."

E-5. This amendment funds adult basic education entirely from general fund to allow for the elimination of the education trust interest.

1. Page E-3, line 24.

Strike: " 53,905 146,095 103,905 146,095"

Insert: "200,000 -0- 250,000 -0- "

2. Page E-4.

Following: line 13

Insert: "There is appropriated in item 8 general fund of \$146,095 in fiscal 1990 and \$146,095 in fiscal 1991 to replace education trust fund interest earnings. If education trust fund interest earnings become available during the biennium, then one dollar of general fund will revert for each dollar of education trust interest earnings."

F-1. This amendment replaces education trust interest earnings for higher education with general fund and include contingency language.

1. Page F-2.

Following: line 6

Insert: "There is appropriated for higher education programs general fund of \$465,000 in fiscal 1990 and \$592,000 in fiscal 1991 to replace education trust fund interest earnings. If education trust fund interest earnings become available during the biennium, then one dollar of general fund appropriated for higher education programs will revert for each dollar of education trust interest earnings."

2. Page F-2, line 16.

Strike: "65,100 68,400"

Insert: "65,100 (Gen. Fund) 68,400 (Gen. Fund)"

3. Page F-2, line 18.

Strike: "1,405,500 258,900 1,316,067 341,600"

Insert: "1,664,400 (Gen. Fund) 1,657,667 (Gen. Fund)"

4. Page F-7, line 11.

Strike: "832,901 191,898 850,637 174,162"

Insert: "857,314 167,485 882,097 142,702"

5. Page F-8, line 6.

Strike: "185,200 24,482 179,451 30,231"

Insert: "207,451 2,231 208,091 1,591"

6. Page F-8, line 19.

Strike: "1,140,954 75,189 1,127,751 88,392"

Insert: "1,167,372 48,771 1,161,826 54,317"

7. Page F-9, line 14.

Strike: "191,385 213,537 198,035 206,887"

Insert: "224,252 180,670 240,523 164,399"

8. Page F-10, line 10.

Strike: "756,470 756,470"

Insert: "35,051 (Gen. Fund) 721,419 (Cur. Unrestricted)
45,337 (Gen. Fund) 711,133 (Cur. Unrestricted)"

F-2. This amendment replaces general fund in House Bill 100 added by the Van Valkenburg amendment with the available Regent's education trust fund balance of \$1,440,034.

1. Page F-13, line 5.

Strike: "96,150 (Gen. Fund) 96,150 (Gen. Fund)"

Insert: "96,150 (Cur. Unrestricted) 96,150 (Cur. Unrestricted)"

2. Page F-14, line 10.

Strike: "949,162"

Insert: "1,149,162"

3. Page F-14, line 11.

Strike: "18,755,351"

Insert: "18,555,351"

4. Page F-14, line 13.

Strike: "398,700 (Gen. Fund) 398,700 (Gen. Fund)"

Insert: "398,700 (Cur. Unrestricted) 398,700 (Cur. Unrestricted)"

5. Page F-16, line 25.

Strike: "4,189,888 (Gen. Fund)"

Insert: "3,989,888 (Gen. Fund) 200,000 (Cur. Unrestricted)"

6. Page F-18, line 6.

Strike: "2,237,893 (Gen. Fund)"

Insert: "2,187,559 (Gen. Fund) 50,334 (Curr. Unrestricted)"

F-3. Amend page F-29 of House Bill 100 narrative to reflect changes in the vocational-technical center personal services as per Attachment F-1.

Adjust internal references in accordance with the above amendments.

And that this Conference Committee Report be adopted.

For the Senate:

Spaeth, Chairman

Bradley

Thoft

For the House:

Story

Devlin

Jacobson

Report adopted.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Rehberg in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Representative Gould excused at this time.

HB 100 - Representative Spaeth moved the free conference committee report on HB 100 be adopted. Motion carried as follows:

Ayes: Aafedt, Bardanouve, Blotkamp, Bradley, Brooke, J. Brown, Clark, Compton, Connelly, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Marks, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Owens, Patterson, Pavlovich, Peterson, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Steppler, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 65

Noes: Addy, Bachini, Boharski, D. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Daily, Darko, Davis, Driscoll, Gervais, Giacometto, Hannah, Harper, Harrington, Kasten, Koehnke, Lee, McCormick, Menahan, Nisbet, O'Keefe, Peck, Phillips, Raney, Russell, Schye, Stang, Stickney, Strizich, Whalen.

Total 34

Paired: DeBruycker, Gould, Ayes; Harrington, Menahan, Noes.

Excused: O'Connell.

Total 1

Absent or not voting: None.

Total 0

Representative Harper moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Rehberg moved the adoption of the committee report. Report adopted. (60-36)

REPORTS OF STANDING COMMITTEES

Free Conference Committee
on Senate Bill 241

Report No. 2, April 19, 1989

Mr. President and Mr. Speaker:

We, your Free Conference Committee on Senate Bill 241 met and considered:

The House Committee of the Whole amendments, offered by Rep. DeBruycker and dated April 10, 1989.

The House Committee on State Administration amendments dated April 6, 1989.

We recommend:

Rep. DeBruycker's amendment be rejected;

The House Committee on State Administration amendments be accepted with a review provision added;

That the service credit be reduced from 2% to 1.785%; and

SB 241 (reference copy — salmon) be amended as follows:

1. Page 1, line 24.

Strike: "35.73%"

Insert: "31%"

2. Page 2.

Following: line 5

Insert: "Section 2. Section 19-5-404, MCA, is amended to read:

"19-5-404. Contributions by the state. The state of Montana shall contribute monthly to the fund a sum equal to 6% of the salary of each member. In addition, the clerk of each district court shall transmit 68% of certain filing fees as required under 25-1-201(2) and that portion of the fee for filing a petition for dissolution of marriage and a motion for substitution of a judge specified in 25-1-201 (4) and (6) to the state, which shall first deposit in the fund an amount equal to ~~31%~~ 34.71% of the salaries paid to district judges and supreme court justices who are covered by the judges' retirement system and then deposit the balance in the state general fund. The clerk of the supreme court shall pay one-fourth of the fees collected under 3-2-403 to the public employees' retirement division of the department of administration to be credited to the fund."

Renumber: subsequent sections

3. Page 2, line 16.

Strike: "2%"

Insert: "1.785%"

4. Page 6, line 3.

Following: line 2

Insert: "NEW SECTION. Section 5. Review of actuarial valuation. The public employees retirement board shall provide to the 52nd legislature, by January 10, 1991, a copy of the most current actuarial valuation of the judges' retirement system. The legislature shall review the actuarial soundness of the judges' retirement system, and the 52nd legislature may eliminate or modify the effect of [this act]."

Renumber: subsequent sections

5. Page 6, lines 10 and 11.

Following: "~~SECTION~~" on line 10

Strike: "PENDING" through "LEGISLATURE," on line 11

6. Page 6, line 11.

Strike: "SECTION"

Insert: "Sections"

Following: "2"

Insert: "and 3"

Strike: "IS"

Insert: "are"

And this Conference Committee Report be adopted.

For the Senate:

Farrell, Chairman
Crippen
Mazurek

For the House:

Spaeth
D. Brown
Marks

Report adopted.

Free Conference Committee
on Senate Bill 465
Report No. 1, April 19, 1989

Mr. President and Mr. Speaker:

We, your Free Conference Committee on Senate Bill 465, considered and recommend SB 465 (reference copy — salmon) be amended as follows:

1. Title, lines 11 and 12.

Strike: "ADOPT RULES IMPOSING FEES"

Insert: "RECEIVE CONTRIBUTIONS"

2. Title, line 15.

Strike: "THE FEES"

Insert: "CONTRIBUTIONS"

3. Title, line 16.

Following: "PROVIDING"

Insert: "AN"

Following: "EFFECTIVE"

Strike: "DATES"

Insert: "DATE AND A TERMINATION DATE"

4. Page 1, line 18 through page 2, line 12.

Strike: statement of intent in its entirety

5. Page 2, line 15.

Strike: "fees"

Insert: "contributions"

6. Page 2, lines 16 and 17.

Following: "SLASH"

Strike: "— rules"

Following: "may"

Strike: "adopt rules imposing fees"

Insert: "receive contributions from public agencies and industry"

7. Page 3, line 3.

Strike: "fees"

Insert: "contributions"

8. Page 3, line 4.

Strike: "\$23,300 A YEAR"

Insert: "the costs incurred by the department"

9. Page 3, line 7.

Strike: "PAY PERMIT FEES"

Insert: "obtain permits for open burning"

10. Page 3, line 12.

Strike: "cost of operating"

Insert: "costs described in subsection (2) of implementing"

11. Page 3, lines 14 through 15.

Strike: subsection (b) in its entirety

Insert: "(b) establish the appropriate share of contributions for required permits based on the percentage of total acreage planned for open burning."

12. Page 3, line 23.

Strike: "the fees"

Insert: "contributions"

13. Page 4, lines 8 through 10.

Strike: section 4 in its entirety

Insert: "NEW SECTION. Section 4. Effective date. [This act] is effective July 1, 1989.

NEW SECTION. Section 5. Termination. [This act] terminates July 1, 1991."

And this Free Conference Committee Report be adopted.

For the Senate:

Harp, Chairman
Devlin
Pipinich

For the House:

Blotkamp
Cohen
Smith

Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 100, free conference committee report, adopted as follows:

Ayes: Aafedt, Addy, Bardanouve, Blotkamp, Bradley, Brooke, J. Brown, Clark, Compton, Connelly, DeMars, Ellison, Eudaily, Gilbert, Glaser, Grinde, Guthrie, Hansen, Hanson, Hayne, Iverson, Johnson, Kadas, Keller,

Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Owens, Pavlovich, Peterson, Quilici, Rice, Simon, Simpkins, Smith, Spaeth, Spring, Steppler, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 54

Noes: Bachini, Boharski, D. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Daily, Darko, Davis, Driscoll, Elliott, Gervais, Giacometto, Good, Hannah, Harper, Harrington, Hoffman, Kasten, Lee, McCormick, Menahan, Nisbet, O'Keefe, Patterson, Peck, Phillips, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Schye, Squires, Stang, Stickney, Strizich, Swift, Whalen.

Total 42

Excused: DeBruycker, Gould, O'Connell.

Total 3

Absent or not voting: Grady.

Total 1

SB 282 concurred in as follows:

Ayes: Addy, Bachini, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Good, Grady, Hansen, Harper, Harrington, Hayne, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, McCormick, McDonough, Menahan, Moore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 62

Noes: Aafedt, Boharski, Campbell, Clark, Compton, Ellison, Giacometto, Gilbert, Glaser, Grinde, Guthrie, Hannah, Hanson, Hoffman, Kasten, Keller, Koehnke, Lee, Marks, Mercer, R. Nelson, Owens, Patterson, Peterson, Phillips, Ramirez, Rehberg, Swift, Swysgood, Thoft, Thomas, Wallin, Zook.

Total 33

Excused: DeBruycker, Gould, O'Connell.

Total 3

Absent or not voting: Bardanouve, Darko.

Total 2

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved the House adjourn until 10:00 a.m., Thursday, April 20, 1989.

Motion carried.

House adjourned at 9:15 p.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

EIGHTY-NINTH LEGISLATIVE DAY

Helena, Montana
April 20, 1989

House Chambers
State Capitol

House convened at 10:05 a.m., Mr. Speaker in the Chair. Invocation by Representative Whalen. Pledge of Allegiance to the Flag.

Roll call. All members present except Cobb, Driscoll, Glaser, Kadas, Moore, Peck, and Schye, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 4/20/89
Correctly enrolled: HB 100.
Examined by the sponsor and found to be correct:
HB 100 - Bardanouve
Signed by the Speaker at 8:00 a.m., 4/20/89: HB 100.
Delivered to the Governor for his approval at 8:45 a.m.,
4/20/89: HB 100.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House: 4/19/89

HB 200, introduced by Vincent
HJR 38, introduced by Whalen
HJR 41, introduced by Vincent
HJR 47, introduced by Gilbert
HJR 48, introduced by Cody

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 4/19/89

HB 614, introduced by Wyatt
HJR 13, introduced by Ream

Governor's amendments to House bill not concurred in and returned to the House: 4/19/89

HB 54, introduced by Hanson

House resolutions indefinitely postponed and returned to the House: 4/19/89

HJR 45, introduced by Wallin
HJR 46, introduced by Thomas

House bill requested to be returned for further consideration: 4/19/89

HB 772, introduced by Simpkins

Senate resolution passed and transmitted to the House for concurrence: 4/19/89

SJR 24, introduced by Rapp-Svrcek

Governor's amendments concurred in and transmitted to the House for concurrence: 4/19/89

SB 105, introduced by Halligan
SB 303, introduced by Halligan

Free conference committee reports adopted: 4/19/89

HB 28, introduced by Harrington

HB 100, introduced by Bardanouve
HB 452, introduced by Cody
HB 752, introduced by Raney
SB 95, introduced by Rasmussen
SB 209, introduced by B. Brown
SB 226, introduced by Himsl
SB 241, introduced by Mazurek
SB 283, introduced by Crippen
SB 427, introduced by Rasmussen

Conference committee reports adopted:

4/19/89

HB 301, introduced by Bardanouve
HB 486, introduced by Grady
HB 567, introduced by Harrington
HB 766, introduced by Driscoll
SB 132, introduced by Mazurek

The Senate, on 4/19/89, acceded to the request of the House and appointed a free conference committee to meet with a like committee from the House to confer on Senate amendments to HB 791.

President Galt appointed the following members:

Senator Hager, Chairman
 Senator Tveit
 Senator Van Valkenburg

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following Senate resolutions were introduced, read first time, and referred to committees:

SJR 22, introduced by Harp, Yellowtail, Weeding, Beck, Gilbert, Driscoll, Harper, Iverson, referred to Committee on Natural Resources
SJR 23, introduced by Halligan, referred to Committee on Judiciary
SJR 24, introduced by Rapp-Svrcek, Elliott, Harp, Vaughn, Halligan, Severson, Peterson, Farrell, Pipinich, Stang, Smith, Owens, Kadas, Mazurek, Ream, Darko, Moore, referred to Committee on Natural Resources

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Menahan in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 193 - Representative Thoft moved Senate amendments to HB 193 be concurred in. Motion carried as follows:

Ayes: Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, Elliott, Gervais, Gould, Grady, Hansen, Hanson, Harper, Harrington, Johnson, Kilpatrick, Kimberley, Knapp, McCormick, McDonough, Menahan, L. Nelson, R. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Quilici, Raney, Ream, Rice, Russell, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Thoft, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 54

Noes: Aafedt, Bardanouve, Campbell, Compton, DeBruycker, Ellison, Eudaily, Giacometto, Gilbert, Good, Grinde, Guthrie, Hannah, Hayne, Hoffman, Iverson, Kasten, Keller, Lee, Marks, Mercer, T. Nelson, Owens, Patterson, Peterson, Phillips, Ramirez, Rehberg, Roth, Simon, Simpkins, Smith, Spring, Swift, Swysgood, Thomas, Wallin.

Total 37

Excused: Cobb, Driscoll, Glaser, Kadas, Moore, Peck, Schye.

Total 7

Absent or not voting: DeMars, Koehnke.

Total 2

HB 325 - Representative Marks moved Senate amendments to HB 325 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: O'Keefe, Stang.

Total 2

Excused: Cobb, Driscoll, Glaser, Kadas, Moore, Peck, Schye.

Total 7

Absent or not voting: Boharski, Grady, Koehnke.

Total 3

HB 333 - Representative Ream moved Senate amendments to HB 333 be concurred in. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Good, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Iverson, Johnson, Keller, Kilpatrick, Kimberley, Knapp, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 79

Noes: Aafedt, Campbell, DeBruycker, Gilbert, Guthrie, Kasten, Lee, Owens, Peterson, Spring, Stepler.

Total 11

Excused: Cobb, Driscoll, Glaser, Kadas, Moore, Peck, Schye.

Total 7

Absent or not voting: D. Brown, Hoffman, Koehnke.

Total 3

HB 510 - Representative Vincent moved Senate amendments to HB 510 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Cobb, Driscoll, Glaser, Kadas, Moore, Peck, Schye.

Total 7

Absent or not voting: Koehnke.

Total 1

HB 547 - Representative Johnson moved Senate amendments to HB 547 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: None.

Total 0

Excused: Cobb, Driscoll, Glaser, Kadas, Moore, Peck, Schye.

Total 7

Absent or not voting: Bardanouve, Grady, Koehnke.

Total 3

HB 618 - Representative Harper moved Senate amendments to HB 618 be placed at the bottom of the second reading board. Motion carried.

Representative Pavlovich assumed the Chair at this time.

HB 717 - Representative Grinde moved Senate amendments to HB 717 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: None.

Total 0

Excused: Cobb, Driscoll, Glaser, Kadas, Moore, Peck, Schye.

Total 7

Absent or not voting: Bardanoue, Koehnke.

Total 2

HB 718 - Representative Menahan moved Senate amendments to HB 718 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: O'Keefe.

Total 1

Excused: Cobb, Driscoll, Glaser, Kadas, Moore, Peck, Schye.

Total 7

Absent or not voting: Bardanoue, Koehnke.

Total 2

Representative Menahan resumed the Chair at this time.

HB 768 - Representative Addy moved Senate amendments to HB 768 be concurred in. Motion carried as follows:

Ayes: Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Gervais, Grady, Hansen, Harper, Harrington, Iverson, Johnson, Kilpatrick, Kimberley, Knapp, McCormick, McDonough, Menahan, Nisbet, O'Connell, O'Keefe, Pavlovich, Quilici, Raney, Ream, Rice, Russell, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 52

Noes: Aafedt, Campbell, Compton, DeBruycker, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Good, Gould, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Kasten, Keller, Lee, Marks, Mercer, L. Nelson, R. Nelson, T. Nelson, Owens, Patterson, Peterson, Phillips, Ramirez, Rehberg, Roth, Simon, Simpkins, Smith, Stepler, Swift, Swysgood, Zook.

Total 39

Excused: Cobb, Driscoll, Glaser, Kadas, Moore, Peck, Schye.

Total 7

Absent or not voting: Bardanoue, Koehnke.

Total 2

HB 773 - Representative Wyatt moved Senate amendments to HB 773 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Keller, Kilpatrick, Kimberley, Knapp, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Patterson, Pavlovich, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 81

Noes: Campbell, Compton, DeBruycker, Gilbert, Hayne, Kasten, Lee, Owens, Peterson.

Total 9

Excused: Cobb, Driscoll, Glaser, Kadas, Moore, Peck, Schye.

Total 7

Absent or not voting: Bardanoue, Koehnke, O'Connell.

Total 3

Representative Raney assumed the Chair at this time.

HB 780 - Representative Darko moved Senate amendments to HB 780 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Good, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Iverson, Johnson, Keller, Kilpatrick, Kimberley, Knapp, Lee, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Raney, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stepler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 78

Noes: Campbell, Cocchiarella, Gould, Hoffman, Kasten, Marks, McCormick, Ramirez, Ream, Stang, Swysgood.

Total 11

Excused: Cobb, Driscoll, Glaser, Kadas, Moore, Peck, Schye.
Total 7

Absent or not voting: Bardanouve, Hannah, Koehnke, O'Connell.
Total 4

Representative Koehnke excused at this time.

HJR 37 - Representative Menahan moved Senate amendments to HJR 37 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: None.
Total 0

Excused: Cobb, Driscoll, Glaser, Kadas, Koehnke, Moore, Peck, Schye.
Total 8

Absent or not voting: Bardanouve, O'Connell, Roth.
Total 3

HB 28 - Representative Harrington moved the conference committee report on HB 28 be adopted. Motion carried as follows:

Ayes: Addy, Bachini, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Good, Gould, Grady, Grinde, Hannah, Hansen, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, McCormick, McDonough, Menahan, Mercer, L. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 75

Noes: Aafedt, Boharski, Campbell, Clark, Compton, DeBruycker, Giacometto, Gilbert, Guthrie, Hanson, Hayne, Kasten, Keller, Lee, R. Nelson, T. Nelson, Spring, Wallin.
Total 18

Paired: Driscoll, Kadas, Schye, Ayes; Giacometto, R. Nelson, Spring, Noes.

Excused: Cobb, Glaser, Koehnke, Moore, Peck.
Total 5

Absent or not voting: Bardanouve, Marks.
Total 2

HB 452 - Representative Cody moved the conference committee report on HB 452 be adopted. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: Boharski, Campbell, DeBruycker.

Total 3

Excused: Cobb, Driscoll, Glaser, Kadas, Koehnke, Moore, Peck, Schye.

Total 8

Absent or not voting: Bardanouve.

Total 1

HB 766 - Representative Harper moved the conference committee report on HB 766 be placed at the bottom of the second reading board. Motion carried.

SB 95 - Representative Cocchiarella moved the conference committee report on SB 95 be adopted. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Elliott, Ellison, Eudaily, Gervais, Good, Gould, Grady, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kilpatrick, Kimberley, Knapp, Marks, McCormick, McDonough, Menahan, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Phillips, Quilici, Raney, Ream, Rice, Roth, Russell, Smith, Spaeth, Squires, Stang, Stickney, Strizich, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 67

Noes: DeBruycker, Giacometto, Gilbert, Grinde, Guthrie, Hannah, Hanson, Kasten, Keller, Lee, Mercer, Owens, Peterson, Ramirez, Rehberg, Simon, Simpkins, Spring, Stepler, Swift, Swysgood, Thoft, Zook.

Total 23

Excused: Cobb, Driscoll, Glaser, Kadas, Koehnke, Moore, Peck, Schye.

Total 8

Absent or not voting: Bardanouve, Blotkamp.

Total 2

Representative O'Keefe, Ramirez, and Westlake excused at this time.

SB 241 - Representative D. Brown moved the conference committee report on SB 241 be adopted.

Representative DeBruycker made a substitute motion the conference committee report on SB 241 be indefinitely postponed. Motion failed as follows:

Ayes: Bardanouve, Campbell, Clark, Compton, DeBruycker, Giacometto, Gilbert, Good, Grinde, Guthrie, Hannah, Hanson, Iverson, Kasten, Lee, Menahan, Owens, Patterson, Peterson, Russell, Smith, Spring, Steppler, Swift, Swysgood, Thoft, Thomas, Zook.

Total 28

Noes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Elliott, Eudaily, Gervais, Gould, Hansen, Harper, Harrington, Hayne, Hoffman, Johnson, Keller, Kilpatrick, Kimberley, Knapp, Marks, McCormick, McDonough, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Pavlovich, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Simon, Simpkins, Spaeth, Squires, Stang, Stickney, Strizich, Wallin, Whalen, Wyatt, Mr. Speaker.

Total 59

Paired: Hannah, Aye; Ramirez, No.

Excused: Cobb, Driscoll, Glaser, Kadas, Koehnke, Moore, O'Keefe, Peck, Schye, Westlake.

Total 10

Absent or not voting: Ellison, Grady, Phillips.

Total 3

Thereupon, the conference committee report was adopted as follows:

Ayes: Addy, Bachini, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Eudaily, Gervais, Giacometto, Gould, Hansen, Harper, Harrington, Hayne, Hoffman, Johnson, Keller, Kilpatrick, Kimberley, Knapp, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, Nisbet, O'Connell, Pavlovich, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Spaeth, Squires, Stang, Stickney, Strizich, Wallin, Whalen, Wyatt, Mr. Speaker.

Total 58

Noes: Aafedt, Bardanouve, Blotkamp, Boharski, Campbell, Clark, Compton, DeBruycker, Elliott, Ellison, Gilbert, Good, Grinde, Guthrie, Hannah, Hanson, Iverson, Kasten, Lee, T. Nelson, Owens, Patterson, Smith, Spring, Steppler, Swift, Swysgood, Thoft, Thomas, Zook.

Total 30

Paired: Ramirez, Aye; Hannah, No.

Excused: Cobb, Driscoll, Glaser, Kadas, Koehnke, Moore, O'Keefe, Peck, Schye, Westlake.

Total 10

Absent or not voting: Grady, Peterson.

Total 2

Representatives Marks and Owens excused at this time.

SB 283 - Representative Harrington moved the conference committee report on SB 283 be adopted. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson,

Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spring, Squires, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 82

Noes: Cohen, DeBruycker, Stang.

Total 3

Excused: Cobb, Driscoll, Glaser, Kadas, Koehnke, Marks, Moore, O'Keefe, Owens, Peck, Ramirez, Schye, Westlake.

Total 13

Absent or not voting: Grady, Spaeth.

Total 2

Representative Spaeth excused at this time.

SB 427 - Representative Harper moved the conference committee report on SB 427 be adopted. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanoue, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 83

Noes: Boharski, Campbell.

Total 2

Excused: Cobb, Driscoll, Glaser, Kadas, Koehnke, Marks, Moore, O'Keefe, Owens, Peck, Ramirez, Schye, Spaeth, Westlake.

Total 14

Absent or not voting: Grady.

Total 1

SB 465 - Representative Blotkamp moved the conference committee report on SB 465 be adopted. Motion carried as follows:

Ayes: Aafedt, Addy, Bardanoue, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, Ellison, Eudaily, Gervais, Good, Gould, Hannah, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Keller, Kilpatrick, Kimberley, Knapp, Lee, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Russell, Simon, Simpkins, Smith, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 67

Noes: Boharski, Campbell, Clark, DeBruycker, DeMars, Elliott, Giacometto, Gilbert, Grinde, Guthrie, Hayne, Kasten, Patterson, Swysgood, Thoft, Thomas.

Total 16

Excused: Cobb, Driscoll, Glaser, Kadas, Koehnke, Marks, Moore, O'Keefe, Owens, Peck, Ramirez, Schye, Spaeth, Westlake.

Total 14

Absent or not voting: Bachini, Grady, Roth.

Total 3

SB 472 - Representative D. Brown moved SB 472 be concurred in.
Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Good, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spring, Squires, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 82

Noes: Gould, Stang, Steppler.

Total 3

Excused: Driscoll, Glaser, Kadas, Koehnke, Marks, Moore, O'Keefe, Owens, Peck, Ramirez, Schye, Spaeth, Westlake.

Total 13

Absent or not voting: Cobb, Grady.

Total 2

SB 473 - Representative Quilici moved SB 473 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Good, Gould, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 84

Noes: Grinde.

Total 1

Excused: Driscoll, Glaser, Kadas, Koehnke, Marks, Moore, O'Keefe, Owens, Peck, Ramirez, Schye, Spaeth, Westlake.

Total 13

Absent or not voting: Cobb, Grady.

Total 2

Representatives Owens and Peck present at this time.

SB 474 - Representative O'Connell moved SB 474 be concurred in.
Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Gould, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 81

Noes: Guthrie.

Total 1

Excused: Driscoll, Glaser, Kadas, Koehnke, Marks, Moore, O'Keefe, Ramirez, Schye, Spaeth, Westlake.

Total 11

Absent or not voting: Boharski, Cobb, Good, Grady, Grinde, Hannah, Peck.
Total 7

Representatives Driscoll, Kadas, and Schye present at this time.

HB 766 - Representative Driscoll moved the conference committee report on HB 766 be adopted. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Steppler, Stickney, Swift, Swysgood, Thoft, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: None.

Total 0

Excused: Glaser, Koehnke, Marks, Moore, O'Keefe, Ramirez, Spaeth, Westlake.

Total 8

Absent or not voting: Cobb, Elliott, Grady, Strizich.

Total 4

Representatives Glaser, Marks, and Ramirez present at this time.

Representatives Grady and Cobb excused at this time.

HB 618 - Representative Schye moved Senate amendments to HB 618 be concurred in. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis,

DeBruycker, DeMars, Driscoll, Eudaily, Gervais, Grady, Guthrie, Hansen, Harper, Harrington, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough, Menahan, Moore, L. Nelson, R. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, Rice, Russell, Schye, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Thomas, Westlake, Whalen, Wyatt, Mr. Speaker.
Total 61

Noes: Aafedt, Boharski, Campbell, Cobb, Compton, Elliott, Ellison, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Hannah, Hanson, Hayne, Hoffman, Iverson, Kasten, Keller, Lee, Marks, Mercer, T. Nelson, Owens, Patterson, Peterson, Phillips, Ramirez, Rehberg, Roth, Simon, Simpkins, Smith, Stepler, Swysgood, Thoft, Wallin, Zook.
Total 39

Paired: Grady, Koehnke, Moore, O'Keefe, Spaeth, Spring, Westlake, Ayes; Aafedt, Cobb, Giacometto, T. Nelson, Owens, Ramirez, Rehberg, Noes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Representative Cobb present at this time.

Representative Harper moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Menahan moved the adoption of the committee report. Report adopted. (69-25)

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 4/20/89

Correctly enrolled: HB 320, HB 354, HB 469, HB 739.

Examined by the sponsors and found to be correct:

HB 320 - Mercer
HB 354 - Mercer
HB 469 - Addy
HB 739 - Boharski

LABOR AND EMPLOYMENT RELATIONS (Russell, Chairman): 4/20/89

HJR 50, introduced bill, be amended as follows:

1. Title, line 11.

Strike: "OR"

Insert: "TO"

Following: "COVERAGE"

Insert: ", OR TO A NEWLY CREATED EXCLUSIVE STATE FUND"

2. Page 2, line 6.

Following: "fund"

Strike: "."

Insert: "; and

WHEREAS, many states operate exclusive state funds which provide that all employers purchase workers' compensation coverage through a state-operated system without competition from the private sector, thereby offering cost-effective coverage to all employers."

3. Page 2, lines 15 and 16.

Following: "self-insurance,"

Strike: "or"

Following: "coverage" on line 16

Insert: ", or abolishing plans No. 1 and No. 2 and creating an exclusive state fund for providing coverage of Montana employers"

4. Page 2, line 19.

Following: "fund"

Insert: "or creating an exclusive state fund"

5. Page 2, line 21.

Following: "fund"

Insert: "or creation of an exclusive state fund"

6. Page 3, line 1.

Following: "abolished"

Insert: "or restructured"

7. Page 3, line 3.

Following: "abolishment"

Insert: "or restructuring"

And, as amended, do pass. Report adopted.

MESSAGES FROM THE GOVERNOR

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, Montana 59620

April 20, 1989

The Honorable Jack Galt
President of the Senate
State Capitol
Helena, Montana 59620

Dear Representative Vincent and Senator Galt:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby make the amendatory veto to Senate Bill 129, "AN ACT TO ENSURE THAT PARENTS FULFILL THE DUTY TO SUPPORT THEIR CHILDREN BY PROVIDING FOR A PRESUMPTIVE OBLIGATION OF SUPPORT IN CERTAIN LEGAL PROCEEDINGS; TO REQUIRE CONSIDERATION OF UNIFORM GUIDELINES TO ESTABLISH A MINIMUM SUPPORT LEVEL; TO REQUIRE PATERNITY CHILD SUPPORT ORDERS TO INCLUDE A PROVISION COVERING HEALTH INSURANCE IN CERTAIN CASES; TO PROVIDE FOR CHILD SUPPORT COLLECTION THROUGH AUTOMATIC INCOME WITHHOLDING; TO GRANT THE DEPARTMENT OF REVENUE THE AUTHORITY TO CHARGE FEES IN CASES IN WHICH AN OBLIGOR'S FAILURE OR REFUSAL TO PAY SUPPORT REQUIRES THE DEPARTMENT TO ACT; AMENDING SECTIONS 40-4-204, 40-5-203, 49-5-208, 40-5-214, 40-5-401, 40-5-404, 40-5-411 THROUGH 40-5-417, 40-5-422, AND 40-6-116, MCA; AND PROVIDING AN APPLICABILITY DATE." This amendatory veto is made for the following reasons.

My amendments to Senate Bill 129 complete the statutory transfer of the Child Support Enforcement Bureau from the Department of Revenue to the Department of Social and Rehabilitation Services. This transfer is effective July 1, 1989.

The amendments proposed were prepared by the Legislative Council's office. They have been reviewed by the Departments of Revenue and Social and Rehabilitation Services. House Bill 100 as presented to the Governor provides for the appropriations transfer from Revenue to Social and Rehabilitation Services.

With the adoption of these amendments, the location and responsibilities of the Child Support Enforcement Bureau will transfer to Social and Rehabilitation Services where it is both administratively and fiscally consistent to do so.

The sponsor of Senate Bill 129 concurs in these amendments. I urge your concurrence as well.

Governor's amendments to SB 129

1. Title, line 14.

Strike: "REVENUE"

Insert: "SOCIAL AND REHABILITATION SERVICES"

2. Title, line 16.

Following: "ACT;"

Insert: "TO TRANSFER TO THE DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES FROM THE DEPARTMENT OF REVENUE THE AUTHORITY FOR CHILD SUPPORT ENFORCEMENT;"

Following: "SECTIONS"

Insert: "39-71-743,"

3. Title, line 17.

Following: "40-4-204,"

Insert: "40-4-209, 40-5-113, 40-5-202,"

Following: "40-5-214,"

Insert: "40-5-241, 40-5-303,"

Following: "40-5-401,"

Insert: "40-5-403,"

4. Title, line 18.

Following: "40-5-422,"

Strike: "AND"

Following: "40-6-116,"

Insert: "AND 53-2-613,"

5. Title, line 19.

Following: "AN"

Insert: "EFFECTIVE DATE AND AN"

6. Page 1, line 23.

Page 3, line 19.

Page 7, line 9.

Page 10, line 1.

Page 12, line 24.

Strike: "revenue", "revenue", or "REVENUE"

Insert: "social and rehabilitation services"

7. Page 32.

Following: line 21

Insert: "Section 19. Section 39-71-743, MCA, is amended to read:

"39-71-743. Assignment or attachment of payments. (1) No payments under this chapter shall be assignable, subject to attachment or garnishment, or be held liable in any way for debts, except:

(a) as provided in 71-3-1118; or

(b) a portion of any lump-sum award or periodic payment to pay a monetary obligation for current or past-due child support, subject to the limitations in subsection (2), whenever the support obligation is established by order of a court of competent jurisdiction or by order rendered in an administrative process authorized by state law.

(2) Payments under this chapter are subject to assignment, attachment, or garnishment for child support as follows:

(a) for any periodic payment, an amount up to the percentage amount established in the guidelines promulgated ~~in supreme court Order No. 86-223, dated January 13, 1987 by the department of social and rehabilitation services pursuant to [section 3];~~ or

(b) for any lump-sum award, an amount up to that portion of the award that is approved for payment on the basis of a past-due child support obligation.

(3) After determination that the claim is covered under the Workers' Compensation Act or Occupational Disease Act of Montana, the liability for payment of the claim is the responsibility of the appropriate workers' compensation insurer. No fee or charge shall be payable by the injured worker for treatment of injuries sustained if liability is accepted by the insurer."

Section 20. Section 40-4-209, MCA, is amended to read:

"40-4-209. Security or guaranty to secure support. (1) Upon verified application by a person authorized to enforce or collect a child support obligation, ~~the department of revenue,~~ the department of family services, or the department of social and rehabilitation services showing that a person obligated to pay child support or maintenance pursuant to court or administrative order is delinquent in an amount equal to the total of 6 months' support payments, the court may direct the obligated person to appear and show cause why an order should not be entered ordering that he post bond, give a mortgage, or provide other security or guaranty for the payment of the delinquency.

(2) If the court finds that a delinquency greater than the total of 6 months of support is owed and that the obligated person has the ability to post bond, give a mortgage, or provide security or other guaranty, the court may enter an order requiring him to post bond, give a mortgage, or provide security or guaranty for so long as there is a support delinquency.

(3) The bond or other security may be in an amount up to the total support due for a 2-year period and must be approved by the court. The bond must include the name and address of the issuer. Any person issuing a bond under this section must, if the bond is cancelled, notify the court and the person or public agency entitled to receive payments under the support order.

(4) If the person obligated to pay child support or maintenance fails to make payments as required by the court or administrative order, the person or public agency entitled to receive payment may recover on the bond or other security. The amount recovered on the bond or other security must first be applied toward satisfaction of any support arrearages.

(5) The department of ~~revenue~~ social and rehabilitation services shall adopt guidelines which take into account the payment record of the obligated person, the availability of other remedies, and other considerations which it determines relevant for determining whether the procedure provided in this section would carry out the purpose of enforcing payments of child support or would be appropriate in the circumstances. If after application of the guidelines the department of ~~revenue~~ social and rehabilitation services determines an application for an order requiring security is not appropriate, it may not request the order."

Section 21. Section 40-5-113, MCA, is amended to read:

"40-5-113. Officials to represent obligee. If this state is acting as an initiating state, the prosecuting attorney, upon the request of the court, the department of social and rehabilitation services, ~~the department of revenue~~, the department of family services, a county commissioner, or other local welfare officer, shall represent the obligee in any proceeding under this part. If the prosecuting attorney neglects or refuses to represent the obligee, the attorney general may order him to comply with the request of the court or may undertake the representation."

Section 22. Section 40-5-202, MCA, is amended to read:

"40-5-202. Department of ~~revenue~~ social and rehabilitation services — powers and duties regarding collection of support debt. (1) Whenever the department of social and rehabilitation services or the department of family services receives an application for public assistance on behalf of a child and it appears to the satisfaction of that department that the child has been abandoned by his parents; the child and one parent have been abandoned by the other parent; or the parent or other person who has a responsibility for the care, support, or maintenance of ~~such~~ the child has failed or neglected to give proper care or support to the child, the department of social and rehabilitation services ~~or the department of family services shall promptly refer the matter to the department of revenue for~~ shall promptly take action under the provisions of this part, the abandonment or nonsupport statutes, or other appropriate statutes of this state to ~~insure~~ ensure that the parent or other person responsible pays for the care, support, or maintenance of the dependent child.

(2) In the event that public assistance is furnished by a state or county agency or in instances where the department has contracted to collect support, the department shall become trustee of any cause of action of the dependent child or the person having legal custody of the dependent child to recover support due to that obligee from any person and may bring and maintain the action either in the department's own name or in the name of the obligee.

(3) The department has the power of attorney to act in the name of any recipient of public assistance in endorsing and cashing any and all drafts, checks, money orders, or other negotiable instruments received by the department and representing support payments for children in whose behalf public assistance has been previously paid.

(4) For purposes of prosecuting any civil action pursuant to this part, the department is a real party in interest upon the payment of public assistance. No obligee shall act to prejudice the rights of the department after the receipt of public assistance.

(5) No agreement between any obligee and any obligor either relieving an obligor of any duty of support or purporting to settle past, present, or future support obligations either as settlement or prepayment may act to reduce or terminate any rights of the department to recover from that obligor for support debt provided unless the department has consented to the agreement in writing.

(6) The department may petition a court for modification of any court order on the same basis as a party to that action would have been entitled to do.

(7) The department shall be subrogated to the right of the child or children or person having the care, custody, and control of the child or children to maintain any civil action or execute any administrative remedy existing under the laws of the state to obtain reimbursement of money thus spent.

(8) If a district court orders an amount of support to be paid by a responsible parent, the department shall be subrogated to the debt created by the order and the money judgment shall be determined to be in favor of the department. This subrogation applies both to:

(a) ~~the lesser of the amount paid by the department of social and rehabilitation services or the department of family services in public assistance to or for the benefit of a dependent child or children of the responsible parent or the amount of support contained in the court order; and~~

(b) to any amount allocated to the benefit of the children on the basis of providing necessities for the caretaker of the children.

(9) The department may adopt and enforce such the rules ~~as may~~ be necessary to carry out the provisions of this part.

(10) The department, for the purposes mentioned in this part, through its director or the director's authorized representatives, may administer oaths to certify official acts, issue subpoenas, and compel witnesses and the production of books, accounts, documents, and evidence."

Section 23. Section 40-5-303, MCA, is amended to read:

"40-5-303. Petition for income deduction — who may initiate. A petition for an income deduction for the payment of delinquent child support payments may be made by:

(1) the person named as the recipient of the child support payments in the child support order;

(2) the child or the guardian of the child named in the child support order; or

(3) ~~the department of revenue,~~ the department of family services, or the department of social and rehabilitation services of the state of Montana."

Section 24. Section 40-5-403, MCA, is amended to read:

"40-5-403. Definitions. As used in this part, the following definitions apply:

(1) "Department" means the department of ~~revenue~~ social and rehabilitation services provided for in ~~2-15-1301~~ 2-15-2201.

(2) "Income" means any form of periodic payment to a person, including earnings and wages. However, income does not include:

(a) any amount required by law to be withheld, other than creditor claims, including federal, state, and local taxes and social security; and

(b) any amounts exempted from judgment, execution, or attachment by federal or state law.

(3) "Obligee" means either a person to whom a duty of support is owed or a public agency of this or another state to which a person has assigned the right to receive current and accrued support payments.

(4) "Obligor" means a person who owes a duty to make payments under a support order.

(5) "Payor" means any payor of income to an obligor on a periodic basis and includes any person, firm, corporation, association, employer, trustee, political subdivision, state agency, or any agent thereof, who is subject to the jurisdiction of the courts of this state under Rule 4B of the Montana Rules of Civil Procedure.

(6) "Support order" means an order of the district court of the state of Montana, an order of a court of appropriate jurisdiction of another state, an administrative order established pursuant to proceedings under part 2 of this chapter, or an order established by administrative hearing process of an agency of another state with functions similar to those of the department set forth in part 2 of this chapter, that provides a set and determinable amount for temporary or final periodic payment of funds for the support of a child. Support order further includes the following:

(a) an order for reimbursement of public assistance money paid by a public agency for the benefit of a minor child;

(b) an order for maintenance to be paid to a former spouse when the former spouse is the custodial parent of a child for whom child support is awarded under the same order; and

(c) an order requiring payment of interest due on unpaid judgments for child support."

Section 25. Section 53-2-613, MCA, is amended to read:

"53-2-613. Application for assistance — assignment of support rights. (1) Applications for public assistance, including but not limited to aid to families with dependent children and medical assistance, must be made to the county department of public welfare in the county in which the person is residing. The application shall be submitted, the manner and form prescribed by the department of social and rehabilitation services, and shall contain information required by the department of social and rehabilitation services.

(2) A person by signing an application for public assistance assigns to the state, the department of social and rehabilitation services, and to the county welfare department all rights the applicant may have to support and medical payments from any other person in his own behalf or in behalf of any other family member for whom application is made.

(3) The assignment:

(a) is effective for both current and accrued support and medical obligations;

(b) takes effect upon a determination that the applicant is eligible for public assistance;

(c) remains in effect with respect to the amount of any unpaid support and medical obligation accrued under the assignment that was owed prior to the termination of public assistance to a recipient.

(4) Whenever a support obligation is assigned to the department of social and rehabilitation services pursuant to this section ~~is referred to the department of revenue pursuant to 40-5-202~~, the following provisions apply:

(a) If such support obligation is based upon a judgment or decree or an order of a court of competent jurisdiction, the department of ~~revenue~~ may retain assigned support amounts in an amount sufficient to reimburse public assistance money expended.

(b) No recipient or former recipient of public assistance may commence or maintain an action to recover a delinquent support obligation without notifying the department of ~~revenue~~. The department of ~~social and rehabilitation services~~ may then release or relinquish its assigned interest or enter the proceeding. This subsection (4)(b) does not limit the right of any person to recover money not assigned.

(c) If a notice of assigned interest is filed with the district court, the clerk of the court may not pay over or release for the benefit of any recipient or former recipient of public assistance any amounts received pursuant to a judgment or decree or an order of the court until the department of ~~revenue~~ has filed a written notice that:

(i) the assignment of current support amounts has been terminated; and

(ii) all assigned support delinquencies, if any, are satisfied or released.

(d) No recipient or former recipient of public assistance may take action to modify or make any agreement to modify, settle, or release any past, present, or future support obligation unless the department of ~~revenue~~ is given written notice and an opportunity to participate. Any modifications or agreements entered into without the participation of the department of ~~revenue~~ are void with respect to the state, the department of social and rehabilitation services, ~~the department of revenue~~, and the county welfare department."

Section 26. Section 40-5-241, MCA, is amended to read:

"40-5-241. Warrant for distraint. (1) Thirty-one days after receipt or refusal of notice of debt under provisions of 40-5-222 or 31 days after service of notice of debt or as otherwise appropriate under the provisions of 40-5-223 and 40-5-224, the department may issue a warrant for distraint based on the amount of the support debt plus penalty and fees, if any, and accumulated interest. The warrant is subject to the provisions of 15-1-701, 15-1-704, 15-1-708, and 15-1-709, with references to "tax" taken to mean "support debt" and references to "taxpayer" taken to mean "person owing the support debt", as well as the provisions of this part.

(2) A warrant for distraint is an order, under the official seal of the department, directed to a sheriff of any county of Montana or to any agent authorized by law to enforce a district court judgment. The order commands the recipient to levy upon and sell the real and personal property of a delinquent obligor."

NEW SECTION. Section 27. Filing warrant with district court — effect of filing — release. (1) After issuing a warrant, the department may file the warrant with the clerk of a district court. The clerk shall file the warrant in the judgment docket, with the name of the delinquent obligor listed as the judgment debtor.

(2) Upon filing the warrant, there is a lien against all real and personal property of the delinquent obligor located in the county where the warrant is filed. The resulting lien is treated in the same manner as a properly docketed judgment lien, and the department may collect delinquent child support and enforce the lien in the same manner as a judgment is enforced. The lien is for the amount indicated on the warrant plus accrued interest from the date of the warrant.

(3) (a) A copy of the filed warrant may be sent by the department to the sheriff or authorized agent. Upon receipt of a copy of the filed warrant, the sheriff or authorized agent shall proceed to execute upon the warrant in the same manner as prescribed for execution upon a judgment.

(b) A sheriff or agent shall return a warrant along with any funds collected within 90 days of the receipt of the copy of the warrant.

(c) If the warrant is returned not fully satisfied the department has the same remedies to collect the deficiency as are available for any civil judgment.

(4) (a) Upon receiving payment in full of the unpaid child support amount plus penalty and fees, if any, and accumulated interest, the department shall release the lien.

(b) Upon receiving partial payment of the unpaid child support amount or if the department determines that a release or partial release of the lien will facilitate the collection of the unpaid amount, penalty, and interest, the department may release or may partially release the lien acquired by filing the warrant for distraint. The department may release the lien if it determines that the lien is unenforceable.

(5) The use of the warrant for distraint is not exclusive, and the department may use any other remedy provided by law for the collection of child support amounts.

NEW SECTION. Section 28. Name change — code commissioner instruction — reorganization procedure. (1) (a) In 17-4-105(3)(d), 31-3-127, 40-5-201, and 40-5-205 the term "department of revenue" or "department", meaning the department of revenue, is changed to "department of social and rehabilitation services" or "department", meaning the department of social and rehabilitation services.

(b) The code commissioner is instructed to substitute the term "department of social and rehabilitation services" or "department", meaning the department of social and rehabilitation services, for the term "department of revenue" or "department", meaning the department of revenue, in legislation enacted by the 51st legislature relating to the enforcement of child support.

(2) The provisions of 2-15-131 through 2-15-137 govern the transfer of the authority for the child support enforcement function from the department of revenue to the department of social and rehabilitation services. It is intended that the current employees of the department of revenue whose functions are transferred to the department of social and rehabilitation services shall retain the employment rights consistent with their positions at the time of transfer."

Renumber: subsequent sections

8. Page 33, line 5.

Strike: "and"

Insert: ", "

Following: "16"

Insert: ", and 27"

9. Page 33, line 8.

Strike: "and"

Insert: ", "

Following: "16"

Insert: ", and 27"

10. Page 33.

Following: line 14

Insert: "NEW SECTION. Section 33. Effective date. [Sections 19 through 29 and this section] are effective July 1, 1989."

Sincerely,

STAN STEPHENS

Governor

MOTIONS

Representative Harper moved the House accede to the request of the Senate to return HB 772 for further consideration. Motion carried.

Representative Harrington moved the conference committee on HB 566 be dissolved and HB 566 be placed on second reading this legislative day. Motion carried.

Representative Harper moved the House recess until 2:00 p.m.

Motion carried.

House recessed at 12:23 p.m.

House reconvened at 2:20 p.m. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

NATURAL RESOURCES (Raney, Chairman):

4/20/89

SJR 22, be concurred in. Report adopted.

SJR 24, be concurred in. Report adopted.

MESSAGES FROM THE GOVERNOR

The Honorable John Vincent

April 20, 1989

Speaker of the House

State Capitol

Helena, Montana 59620

The Honorable Jack Galt

President of the Senate

State Capitol
Helena, Montana 59620

Dear Representative Vincent and Senator Galt:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby make the amendatory veto to House Bill 700, "AN ACT GRANTING AN EMPLOYMENT PREFERENCE TO CERTAIN MILITARY VETERANS AND THEIR ELIGIBLE RELATIVES IN ~~APPOINTMENT~~ INITIAL HIRING TO CERTAIN POSITIONS AND IN RETENTION DURING REDUCTIONS IN FORCE; ELIMINATING THE EMPLOYMENT PREFERENCE PROVIDED TO VETERANS AND THEIR ELIGIBLE SPOUSES UNDER THE MONTANA VETERANS' AND HANDICAPPED PERSONS' EMPLOYMENT PREFERENCE ACT; AND AMENDING SECTIONS 10-2-402, 39-30-101 THROUGH 39-30-103, 39-30-201 THROUGH 39-30-203, 39-30-207, 49-2-405, AND 49-3-103, MCA." This amendatory veto is made for the following reasons.

Considerable controversy has followed the passage of House Bill 700. Questions and concerns regarding its implementation and effect on public sector employment procedures are troublesome to these employers.

However, the legislature has debated the arguments in earnest. They have presented this veterans' employment preference bill for my consideration.

I am requesting, however, that a sunset provision be placed on this bill so as to allow the public sector employers and the veterans' organizations to closely examine the effects of this legislation in the next two years.

The sponsor of House Bill 700 concurs in this amendment. I urge your concurrence as well.

Governor's Amendments to HB 700

1. Title, line 15.

Following: "ACT;"

Strike: "AND"

2. Title, line 17.

Following: "MCA"

Insert: "; AND PROVIDING A TERMINATION DATE"

3. Page 22.

Following: line 15

Insert. "NEW SECTION. Section 19. Termination date. [This act] terminates July 1, 1991."

Sincerely,

STAN STEPHENS
Governor

MOTIONS

Representative Raney moved SJR 22 and SJR 24 be taken from printing and placed on second reading this legislative day. Motion carried.

Representative Harper moved the House recess until 3:00 p.m.

Motion carried.

House recessed at 2:23 p.m.

House reconvened at 3:40 p.m. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 4/20/89
Correctly printed: HJR 50.

JUDICIARY (D. Brown, Chairman): 4/20/89
SJR 23, be concurred in. Report adopted.

REPORTS OF SELECT COMMITTEES

Conference Committee
on House Bill 641
Report No. 1, April 20, 1989

Mr. President and Mr. Speaker:

We, your Conference Committee on House Bill 641 met and considered:

The Senate Committee on Taxation's report of April 12, 1989, which contains amendments to House Bill 641 (third reading — blue copy).

We recommend House Bill 641 (reference copy — salmon) be amended as follows:

1. Strike: Amendment No. 1 contained in the Senate Committee on Taxation's report of April 12, 1989. [see page 2, line 6 of salmon reference copy]
2. Strike: Amendment No. 2 contained in the Senate Committee on Taxation's report of April 12, 1989. [see page 2, line 7 of salmon reference copy]
3. Strike: Amendment No. 4 contained in the Senate Committee on Taxation's report of April 12, 1989. [see page 2, lines 20 through 24 of salmon reference copy]

And this Conference Committee Report be adopted.

For the Senate:

Thayer, Chairman
Severson
Halligan

For the House:

Quilici
Harrington
Patterson

Report adopted.

Free Conference Committee
on House Bill 791
Report No. 1, April 20, 1989

Mr. President and Mr. Speaker:

We, your Free Conference Committee on House Bill 791, considered and recommend HB 791 (reference copy — salmon) be amended as follows:

1. Strike: the Senate Committee of the Whole amendments dated April 15, 1989, in their entirety
2. Strike: the Senate Committee of the Whole amendments dated April 13, 1989, in their entirety
3. Strike: the Senate Committee of the Whole amendments dated April 12, 1989, in their entirety

4. Restore: the language of the bill as printed in House Bill 791 (third reading copy — blue):
 - a. Title, line 4 (reference bill, salmon).
Strike: "SUSPENDING"
Insert: "WAIVING"
 - b. Title, line 5 (reference bill, salmon).
Strike: "PROPERTY"
Following: "INTEREST"
Strike: "FOR 36" on line 5 to "MONTANA" on line 6
 - c. Title, lines 8 through 12 (reference bill, salmon).
Strike: "ALLOWING" on line 8 through "BANKRUPTCY" on line 12
 - d. Page 1, line 16 (reference bill — salmon).
Strike: "SUSPENSION"
Insert: "Waiver"
 - e. Page 1, line 17 (reference bill — salmon).
Strike: "STATE"
Following: "taxes."
Strike: "(1)"
 - f. Page 1, lines 18 and 19 (reference bill — salmon).
Strike: "SUSPENDED" on line 18 through "THIS ACT]" on line 19
Insert: "waived"
 - g. Page 1, lines 23 and 24 (reference bill — salmon).
Strike: "SUSPENDED" on line 23 through "THIS ACT]" on line 24
Insert: "waived"
 - h. Page 2, lines 2 through 8 (reference bill — salmon).
Strike: subsections (2) and (3) in their entirety
 - i. Page 2, line 9 through page 3, line 1 (reference copy — salmon).
Strike: section 2 in its entirety.
Re-number: subsequent sections
 - j. Page 3, lines 4 and 5 (reference bill — salmon).
Strike: "SECTIONS" on line 4 through "2" on line 5
Insert: "section 1"
 - k. Page 4, line 15 (reference bill — salmon).
Strike: "SECTIONS 1 AND 2"
Insert: "Section 1"

And this Free Conference Committee Report be adopted.

For the Senate:

Harrington, Chairman
Schye
Ramirez

For the House:

Hager
Tveit
Van Valkenburg

Report adopted.

Conference Committee
on Senate Bill 458
Report No. 1, April 20, 1989

Mr. President and Mr. Speaker:

We, your Conference Committee on Senate Bill 458 met and considered:

The House amendments to SB 458 (third reading copy — blue) in their entirety.

We recommend that the House amendments be rejected in their entirety and that SB 458 (reference copy — salmon) be amended as follows:

1. Title, line 12.

Strike: "17-7-502"

2. Page 1, line 23.

Following: "comprised"

Insert: "of 10%"

3. Page 1, lines 24 and 25.

Following: "taxes" on line 24

Strike: "PAID" through "ASSOCIATIONS" on line 25

4. Page 2, lines 6 and 7.

Strike: "AFTER" on line 6 through "THE" on line 7

Insert: "The"

5. Page 2, lines 9 and 10.

Following: "17-7-502," on line 9

Strike: "STATUTORILY" through "17-7-502," on line 10

6. Page 2, lines 11 and 12.

Strike: "AS" on line 11 through "80%" on line 12

7. Page 2, lines 13 through 15.

Strike: "THE" on line 13 through "IN" on line 15

8. Page 2, line 15.

Following: "respective"

Insert: "county's population"

Strike: "COUNTY"

9. Page 2, lines 16 through 18.

Strike: "AMOUNT" on line 16 through "ASSOCIATIONS" on line 18

Insert: "population"

10. Page 2, lines 18 through 20.

Strike: "; AND" on line 18 through "15-1-501(3)" on line 20

11. Page 3, line 2.

Following: line 1

Insert: "(3) For the purposes of this section, the population of each county, consolidated government, and the state is the most recent population estimate available from the department of commerce."

12. Page 3, line 14.

Following: "COUNTY,"

Insert: "located in the county, including the county"

13. Page 3, line 18.

Following: "JURISDICTIONS"

Insert: "of all taxing jurisdictions"

14. Page 3, line 19.

Following: "COUNTY"

Insert: ", including the county"

15. Page 4, line 11.

Following: line 10

Insert: "(4) For the purposes of this section, the population of each county, consolidated government, and incorporated municipality is the most recent population estimate available from the department of commerce."

16. Page 5, line 13.

Following: "All"

Strike: remainder of line 13 in its entirety

Insert: "All"

17. Page 5, line 17.

Strike: "64%"

Insert: "57.6%"

18. Page 5, line 19.

Strike: "11%"

Insert: "9.9%"

19. Page 5, line 21.

Strike: "AND"

20. Page 5, line 22.

Strike: "25%"

Insert: "22.5%"

21. Page 5, line 24.

Strike: " "

Insert: "; and"

22. Page 5, line 25 through page 6, line 3.

Strike: line 25 through "DEPOSITED" on page 6, line 3

Insert: "(d) 10%"

23. Page 6, line 18.

Strike: "11%"

Insert: "9.9%"

24. Page 9, line 17.

Strike: section 6 in its entirety

Renumber: subsequent sections

25. Page 12, line 6.

Strike: "25%"

Insert: "22.5%"

And this Conference Committee Report be adopted.

For the Senate:

Gage, Chairman

Severson

Eck

For the House:

Ream

Stang

Rehberg

Report adopted.

MESSAGES FROM THE GOVERNOR

The Honorable John Vincent

Speaker of the House

State Capitol

Helena, Montana 59620

April 20, 1989

The Honorable Jack Galt
President of the Senate
State Capitol
Helena, Montana 59620

Dear Representative Vincent and Senator Galt:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby veto the adoption of House Bill 125, "AN ACT AMENDING PROVISIONS RELATING TO THE PROPERTY TAX FREEZE; PROVIDING AN EXEMPTION FROM THE FREEZE FOR LEVIES FOR ECONOMIC DEVELOPMENT; EXTENDING THE TERMINATION DATE OF THE FREEZE; AMENDING SECTION 15-10-412, MCA, AND SECTION 6, CHAPTER 654, LAWS OF 1987; AND PROVIDING AN EFFECTIVE DATE." for the following reasons.

Initiative 105 provided direction to the Montana Legislature and this Governor about increased reliance on the property tax increases in our state. House Bill 125 erodes that direction of no further property tax increase above the 1986 tax base year.

The economic development levy would become another exception to the desires expressed by the people of this state.

Certainly, economic development efforts, and especially local economic development efforts, are a key component of my philosophy for restoring growth and vitality of Montana's economy. But is the need for this specific spending authority so compelling that we should weaken I-105 and potentially increase the tax burden of Montanans? After much thought, I have decided it is not.

I therefore veto House Bill 125.

Sincerely,

STAN STEPHENS
Governor

MOTIONS

Representative D. Brown moved SJR 23 be taken from printing and placed on second reading this legislative day. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Menahan in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Representatives Grady, Koehnke, O'Keefe, Spaeth, and Westlake present at this time.

HB 566 - Representative Harrington moved Senate amendments to HB 566 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars,

Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: Moore.
Total 1

Absent or not voting: Peck, Schye.
Total 2

Representative Peck excused at this time.

HB 614 - Representative Wyatt moved Senate amendments to HB 614 be concurred in. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Gervais, Gilbert, Glaser, Good, Gould, Grady, Hansen, Harper, Harrington, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Phillips, Quilici, Raney, Ream, Rice, Russell, Schye, Simon, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 68

Noes: Aafedt, Campbell, Clark, Ellison, Eudaily, Giacometto, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Kasten, Keller, Lee, Owens, Peterson, Ramirez, Rehberg, Roth, Simpkins, Smith, Spring, Swift, Swysgood, Thoft, Thomas, Wallin.
Total 28

Excused: Moore, Peck.
Total 2

Absent or not voting: Mercer, Patterson.
Total 2

HJR 13 - Representative Ream moved Senate amendments to HJR 13 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye,

Simon, Simpkins, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: Cobb, Giacometto, Hannah, Hayne, Kasten, Smith, Spring.

Total 7

Excused: Moore, Peck.

Total 2

Absent or not voting: Connelly, Marks.

Total 2

HB 700 - Representative Pavlovich moved the Governor's amendments to HB 700 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: D. Brown, Swysgood.

Total 2

Excused: Moore, Peck.

Total 2

Absent or not voting: Cobb.

Total 1

SB 105 - Representative Addy moved the Governor's amendments to SB 105 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Bradley, J. Brown, Clark, Cocchiarella, Compton, Connelly, Daily, Darko, DeBruycker, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Guthrie, Hanson, Harper, Harrington, Hoffman, Iverson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, Menahan, Mercer, R. Nelson, T. Nelson, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Spaeth, Spring, Squires, Swift, Swysgood, Thoft, Thomas, Wallin, Zook, Mr. Speaker.

Total 63

Noes: Blotkamp, Boharski, Brooke, D. Brown, Campbell, Cobb, Cody, Cohen, Davis, DeMars, Driscoll, Elliott, Good, Grinde, Hannah, Hansen, Hayne, Johnson, Koehnke, McDonough, L. Nelson, Nisbet, O'Keefe, Owens, Raney, Smith, Stang, Steppler, Stickney, Strizich, Westlake, Whalen, Wyatt.

Total 33

Excused: Moore, Peck.

Total 2

Absent or not voting: Kadas, Schye.

Total 2

SB 129 - Representative Hansen moved the Governor's amendments to SB 129 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, J. Brown, Clark, Cobb, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Squires, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Zook, Mr. Speaker.

Total 74

Noes: Brooke, D. Brown, Campbell, Cocchiarella, Cody, DeBruycker, Driscoll, Elliott, Hansen, Johnson, Koehnke, McDonough, R. Nelson, O'Keefe, Owens, Peterson, Spring, Stang, Stepler, Whalen, Wyatt.

Total 21

Excused: Moore, Peck.

Total 2

Absent or not voting: Good, Kadas, Schye.

Total 3

Representative Schye excused at this time.

SB 303 - Representative Good moved the Governor's amendments to SB 303 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Campbell, Clark, Giacometto, Stang.

Total 4

Excused: Moore, Peck, Schye.

Total 3

Absent or not voting: Kadas, Roth.

Total 2

HJR 50 - Representative Boharski moved consideration of HJR 50 be passed for the day. Motion carried.

SJR 22 - Representative Gilbert moved SJR 22 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: Campbell, Clark, Giacometto, Hoffman, O'Keefe, Stepler, Swysgood.

Total 7

Excused: Moore, Peck, Schye.

Total 3

Absent or not voting: Grady, Kadas.

Total 2

SJR 24 - Representative Elliott moved SJR 24 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hansen, Harper, Harrington, Iverson, Johnson, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 84

Noes: Campbell, Giacometto, Hannah, Hayne, Hoffman, Kasten, Roth, Swift, Thomas, Wallin.

Total 10

Excused: Moore, Peck, Schye.

Total 3

Absent or not voting: Grady, Hanson, Kadas.

Total 3

Representative Peck present at this time.

SJR 23 - Representative Hannah moved SJR 23, third reading copy, be amended as follows:

1. Page 1, lines 13 through 15.

Strike: lines 13 through 15 in their entirety

Amendment passed as follows:

Ayes: Aafedt, Bachini, Bardanouve, Boharski, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Stepler, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.
Total 81

Noes: Addy, Bradley, Brooke, Cody, Davis, Harrington, McCormick, McDonough, O'Keefe, Pavlovich, Squires, Stang, Stickney, Strizich, Whalen.
Total 15

Excused: Moore, Schye.
Total 2

Absent or not voting: Blotkamp, Kadas.
Total 2

Representative Hannah moved SJR 23, third reading copy, be amended as follows:

1. Page 1, lines 16 through 18.
Strike: lines 16 through 18 in their entirety

Amendment passed as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cohen, Compton, Connelly, Darko, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spring, Squires, Stang, Stepler, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.
Total 84

Noes: Addy, Brooke, Cody, Daily, Davis, McCormick, McDonough, Peck, Ream, Stickney, Whalen.
Total 11

Excused: Moore, Schye.
Total 2

Absent or not voting: Cobb, Cocchiarella, Spaeth.
Total 3

Representative Cobb excused at this time.

Representative D. Brown moved SJR 23, as amended, be concurred in.
Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton,

Connelly, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: Campbell, Daily, DeBruycker, Kasten, Pavlovich, Roth, Stepler.
Total 7

Excused: Cobb, Moore, Schye.
Total 3

Absent or not voting: Marks.
Total 1

Representative Harper moved the committee rise, report progress and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Menahan moved the adoption of the committee report. Report adopted. (88-4)

MOTIONS

Representative D. Brown moved the rules be suspended to permit consideration of SJR 23 on third reading this legislative day. Motion carried.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

4/20/89

Correctly enrolled: HB 280, HB 535, HB 595, HJR 43.

Examined by the sponsors and found to be correct:

HB 280 - Vincent

HB 535 - J. Brown

HB 595 - Russell

HJR 43 - Stepler

Signed by the Speaker at 9:45 a.m., 4/20/89: SB 296.

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on House Bill 707

Report No. 1, April 20, 1989

Mr. President and Mr. Speaker:

We, your Free Conference Committee on House Bill 707, considered and recommend HB 707 (reference copy — salmon) be amended as follows:

1. Title, lines 7 through 23.

Following: "AN ACT"

Strike: lines 7 through 23 in their entirety

Insert: "PROVIDING FOR A THOROUGH STUDY THAT INCLUDES A PILOT PROGRAM TO LEASE WATER RIGHTS FOR THE PURPOSE OF MAINTAINING OR ENHANCING STREAMFLOWS FOR THE BENEFIT OF FISHERIES IN STREAM REACHES DESIGNATED BY THE BOARD OF NATURAL RESOURCES AND CONSERVATION; SPECIFYING THAT THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS

IS THE LESSEE AND ALLOWING THE DEPARTMENT TO ACCEPT CONTRIBUTIONS FROM PUBLIC OR PRIVATE ENTITIES FOR THE PURPOSE OF ACQUIRING LEASES; REQUIRING THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS AND THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION TO COMPLETE A STUDY REPORT BY DECEMBER 1, 1990, THAT INCLUDES RECOMMENDATIONS ON WATER LEASING FOR STREAMFLOWS UNDER THIS ACT; APPROPRIATING FEDERAL SPECIAL REVENUE TO THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS TO UNDERTAKE A WATER LEASING STUDY; AMENDING SECTIONS 85-2-102, 85-2-402, AND 85-2-404, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A TERMINATION DATE."

2. Page 1, line 25 through page 4, line 14.

Strike: the statement of intent in its entirety

3. Pages 4 through 23.

Strike: everything following the enacting clause

Insert: "Section 1. Section 85-2-102, MCA, is amended to read:

"85-2-102. Definitions. Unless the context requires otherwise, in this chapter the following definitions apply:

(1) "Appropriate" means to:

(a) divert, impound, or withdraw (including by stock for stock water) a quantity of water; or,

(b) in the case of a public agency, to reserve water in accordance with 85-2-316; or

(c) in the case of the department of fish, wildlife, and parks, to lease water in accordance with [section 6].

(2) "Beneficial use", unless otherwise provided, means:

(a) a use of water for the benefit of the appropriator, other persons, or the public, including but not limited to agricultural (including stock water), domestic, fish and wildlife, industrial, irrigation, mining, municipal, power, and recreational uses; ~~and~~

(b) a use of water appropriated by the department for the state water leasing program under 85-2-141 and of water leased under a valid lease issued by the department under 85-2-141; and

(c) a use of water by the department of fish, wildlife, and parks pursuant to a lease authorized under [section 6].

(3) "Board" means the board of natural resources and conservation provided for in 2-15-3302.

(4) "Certificate" means a certificate of water right issued by the department.

(5) "Change in appropriation right" means a change in the place of diversion, the place of use, the purpose of use, or the place of storage.

(6) "Commission" means the fish and game commission provided for in 2-15-3402.

(7) “Declaration” means the declaration of an existing right filed with the department under section 8, Chapter 452, Laws of 1973.

(7)(8) “Department” means the department of natural resources and conservation provided for in Title 2, chapter 15, part 33.

(8)(9) “Existing right” means a right to the use of water which would be protected under the law as it existed prior to July 1, 1973.

(9)(10) “Groundwater” means any water beneath the land surface or beneath the bed of a stream, lake, reservoir, or other body of surface water, and which is not a part of that surface water.

(10)(11) “Permit” means the permit to appropriate issued by the department under 85-2-301 through 85-2-303 and 85-2-306 through 85-2-314.

(11)(12) “Person” means an individual, association, partnership, corporation, state agency, political subdivision, the United States or any agency thereof, or any other entity.

(12)(13) “Political subdivision” means any county, incorporated city or town, public corporation, or district created pursuant to state law or other public body of the state empowered to appropriate water but not a private corporation, association, or group.

(13)(14) “Waste” means the unreasonable loss of water through the design or negligent operation of an appropriation or water distribution facility or the application of water to anything but a beneficial use.

(14)(15) “Water” means all water of the state, surface and subsurface, regardless of its character or manner of occurrence, including but not limited to geothermal water, diffuse surface water, and sewage effluent.

(15)(16) “Water division” means a drainage basin as defined in 3-7-102.

(16)(17) “Water judge” means a judge as provided for in Title 3, chapter 7.

(17)(18) “Water master” means a master as provided for in Title 3, chapter 7.

(18)(19) “Well” means any artificial opening or excavation in the ground, however made, by which groundwater is sought or can be obtained or through which it flows under natural pressures or is artificially withdrawn.”

Section 2. Section 85-2-402, MCA, is amended to read:

“85-2-402. Changes in appropriation rights. (1) An appropriator may not make a change in an appropriation right except as permitted under this section and with the approval of the department or, if applicable, of the legislature.

(2) Except as provided in subsections (3) through (5), the department shall approve a change in appropriation right if the appropriator proves by substantial credible evidence that the following criteria are met:

(a) The proposed use will not adversely affect the water rights of other persons or other planned uses or developments for which a permit has been issued or for which water has been reserved.

(b) The Except for a lease authorization pursuant to [section 6] that does not require appropriation works, the proposed means of diversion, construction, and operation of the appropriation works are adequate.

(c) The proposed use of water is a beneficial use.

(3) The department may not approve a change in purpose of use or place of use of an appropriation of 4,000 or more acre-feet of water a year and 5.5 or more cubic feet per second of water unless the appropriator proves by substantial credible evidence that:

(a) the criteria in subsection (2) are met;

(b) the proposed change is a reasonable use. A finding of reasonable use must be based on a consideration of:

(i) the existing demands on the state water supply, as well as projected demands of water for future beneficial purposes, including municipal water supplies, irrigation systems, and minimum streamflows for the protection of existing water rights and aquatic life;

(ii) the benefits to the applicant and the state;

(iii) the effects on the quantity and quality of water for existing uses in the source of supply;

(iv) the availability and feasibility of using low-quality water for the purpose for which application has been made;

(v) the effects on private property rights by any creation of or contribution to saline seep; and

(vi) the probable significant adverse environmental impacts of the proposed use of water as determined by the department pursuant to Title 75, chapter 1, or Title 75, chapter 20.

(4) The department may not approve a change in purpose of use or place of use for a diversion that results in 4,000 or more acre-feet of water a year and 5.5 or more cubic feet per second of water being consumed unless:

(a) the applicant proves by clear and convincing evidence and the department finds that the criteria in subsections (2) and (3) are met; and

(b) the department then petitions the legislature and the legislature affirms the decision of the department after one or more public hearings.

(5) (a) The state of Montana has long recognized the importance of conserving its public waters and the necessity to maintain adequate water supplies for the state's water requirements, including requirements for reserved water rights held by the United States for federal reserved lands and in trust for the various Indian tribes within the state's boundaries. Although the state of Montana also recognizes that, under appropriate conditions, the out-of-state transportation and use of its public waters are not in conflict with the

public welfare of its citizens or the conservation of its waters, the following criteria must be met before out-of-state use may occur:

(b) The department and, if applicable, the legislature may not approve a change in appropriation right for the withdrawal and transportation of appropriated water for use outside the state unless the appropriator proves by clear and convincing evidence and, if applicable, the legislature approves after one or more public hearings that:

(i) depending on the volume of water diverted or consumed, the applicable criteria and procedures of subsection (2) or (3) are met;

(ii) the proposed out-of-state use of water is not contrary to water conservation in Montana; and

(iii) the proposed out-of-state use of water is not otherwise detrimental to the public welfare of the citizens of Montana.

(c) In determining whether the appropriator has proved by clear and convincing evidence that the requirements of subsections (5)(b)(ii) and (5)(b)(iii) will be met, the department and, if applicable, the legislature shall consider the following factors:

(i) whether there are present or projected water shortages within the state of Montana;

(ii) whether the water that is the subject of the proposed change in appropriation might feasibly be transported to alleviate water shortages within the state of Montana;

(iii) the supply and sources of water available to the applicant in the state where the applicant intends to use the water; and

(iv) the demands placed on the applicant's supply in the state where the applicant intends to use the water.

(d) When applying for a change in appropriation right to withdraw and transport water for use outside the state, the applicant shall submit to and comply with the laws of the state of Montana governing the appropriation and use of water.

(6) For any application for a change in appropriation right involving 4,000 or more acre-feet of water a year and 5.5 or more cubic feet per second of water, the department shall give notice of the proposed change in accordance with 85-2-307 and shall hold one or more hearings in accordance with 85-2-309 prior to its approval or denial of the proposed change. The department shall provide notice and may hold one or more hearings upon any other proposed change if it determines that such a change might adversely affect the rights of other persons.

(7) The department or the legislature, if applicable, may approve a change subject to such terms, conditions, restrictions, and limitations as it considers necessary to satisfy the criteria of this section, including limitations on the time for completion of the change. The department may extend time limits specified in the change approval under the applicable criteria and procedures of 85-2-312(3).

(8) If a change is not completed as approved by the department or legislature or if the terms, conditions, restrictions, and limitations of the change approval are not complied with, the department may,

after notice and opportunity for hearing, require the appropriator to show cause why the change approval should not be modified or revoked. If the appropriator fails to show sufficient cause, the department may modify or revoke the change approval.

(9) The original of a change approval issued by the department must be sent to the applicant, and a duplicate must be kept in the office of the department in Helena.

(10) A person holding an issued permit or change approval that has not been perfected may change the place of diversion, place of use, purpose of use, or place of storage by filing an application for change pursuant to this section.

(11) A change in appropriation right contrary to the provisions of this section is invalid. ~~No~~ An officer, agent, agency, or employee of the state may not knowingly permit, aid, or assist in any manner ~~such an~~ unauthorized change in appropriation right. ~~No~~ A person or corporation may not, directly or indirectly, personally or through an agent, officer, or employee, attempt to change an appropriation right except in accordance with this section."

Section 3. Section 85-2-404, MCA, is amended to read:

"85-2-404. Abandonment of appropriation right. (1) If an appropriator ceases to use all or a part of his appropriation right with the intention of wholly or partially abandoning the right or if he ceases using his appropriation right according to its terms and conditions with the intention of not complying with those terms and conditions, the appropriation right shall, to that extent, be ~~deemed~~ considered abandoned and shall immediately expire.

(2) If an appropriator ceases to use all or part of his appropriation right or ceases using his appropriation right according to its terms and conditions for a period of 10 successive years and there was water available for his use, there ~~shall be~~ is a prima facie presumption that the appropriator has abandoned his right in whole or for the part not used.

(3) If an appropriator ceases to use all or part of his appropriation right because the land to which the water is applied to a beneficial use is contracted under a state or federal conservation set-aside program:

(a) the set-aside and resulting reduction in use of the appropriation right does not represent an intent by the appropriator to wholly or partially abandon the appropriation right or to not comply with the terms and conditions attached to the right; and

(b) the period of nonuse that occurs for part or all of the appropriation right as a result of the contract may not create or may not be added to any previous period of nonuse to create a prima facie presumption of abandonment.

(4) The lease of an existing right pursuant to [section 6] does not constitute an abandonment by the lessor or serve as evidence that could be used to establish an abandonment by the lessor of any part of the right.

~~(4)~~(5) Subsections (1) and (2) do not apply to existing rights until they have been determined in accordance with part 2 of this chapter."

NEW SECTION. Section 4. Board designation of eligible stream reaches. (1) The department of fish, wildlife, and parks, with the consent of the commission, may apply to the board for designation of stream reaches for which water leasing to maintain or enhance streamflows pursuant to [section 6] may occur.

(2) The board may declare a stream reach eligible for leasing pursuant to [section 6] only if it finds that water leasing is necessary to maintain or enhance streamflows for fisheries.

(3) The board may designate no more than five stream reaches in the state where water leasing pursuant to [section 6] may occur.

NEW SECTION. Section 5. Contributions for leasing appropriation rights — general spending authority. (1) The department may accept contributions from public or private entities for the purpose of leasing appropriation rights to maintain or enhance instream flows for the benefit of fisheries.

(a) Any contributions accepted by the department under this section must be deposited in the fish and wildlife mitigation trust fund established in 87-1-611.

(b) The department shall expend money obtained under this section and deposited in the fish and wildlife mitigation trust fund exclusively to lease existing rights for the purpose of maintaining or enhancing instream flows for fisheries.

(2) The department may also expend other departmental funds to lease existing rights for the purpose of maintaining or enhancing instream flows for fisheries.

NEW SECTION. Section 6. Water leasing study. (1) The department of fish, wildlife, and parks and the department, in consultation with the water policy committee, shall conduct and coordinate a study that, at a minimum:

(a) provides the following data for each designated stream reach and each pilot lease entered into under subsection (2):

(i) the length of the stream reach and how it is determined;

(ii) technical methods and data used to determine critical streamflow or volume needed to preserve fisheries;

(iii) legal standards and technical data used to determine and substantiate the amount of water available for instream flows through leasing of existing rights;

(iv) contractual parameters, conditions, and other steps taken to ensure that each lease in no way harms other appropriators, particularly if the stream is one that experiences natural dewatering; and

(v) methods and technical means used to monitor use of water under each lease;

(b) based on the data provided under subsection (1)(a), develops a complete model of a water lease and lease authorization that includes a step-by-step explanation of the process from initiation to completion.

(2) For purposes of undertaking the study described in subsection (1) and as authorized by law, the department of fish, wildlife, and

parks and the department may engage in the activities described in this subsection. For purposes of this study, this section is the exclusive means by which the department of fish, wildlife, and parks may seek to change an appropriation right to an instream flow purpose.

(a) The department of fish, wildlife, and parks, with the consent of the commission, may lease existing rights for the purpose of maintaining or enhancing streamflows for the benefit of fisheries in stream reaches determined eligible by the board pursuant to [section 4].

(b) Upon receipt of an application for a lease from the department of fish, wildlife, and parks, the department shall publish notice of the application as provided in 85-2-307. Parties who believe they may be adversely affected by the proposed lease may file an objection as provided in 85-2-308. A lease may not be approved until all objections are resolved. After resolving all objections filed under 85-2-308, the department shall authorize a lease of an existing right for the purpose of maintaining or enhancing streamflows for the benefit of fisheries if the applicant submits a complete application and meets the requirements of 85-2-402.

(c) The application for a lease authorization must include specific information on the length and location of the stream reach in which the streamflow must be maintained or enhanced and must provide a detailed streamflow measuring plan that describes the points where and the manner in which the streamflow shall be measured.

(d) The maximum quantity of water that may be leased is the amount historically diverted by the lessor. However, only the amount historically consumed, or a smaller amount if specified by the department in the lease authorization, may be used to maintain or enhance streamflows below the lessor's point of diversion.

(e) The lease may not be issued for a term of more than 4 years but may be renewed for up to 10 years per renewal, if allowed by law and upon notification to the department. If this section terminates without reauthorization by the legislature, all leases and lease authorizations expire on the date of termination. Upon receiving notice of a lease renewal, the department shall notify other appropriators potentially affected by the lease and shall allow 30 days for submission of new evidence of adverse effects to other water rights. A lease authorization is not required for a renewal unless an appropriator other than an appropriator described in subsection (2)(i) submits evidence of adverse effects to his rights that has not been considered previously. If new evidence is submitted, a lease authorization must be obtained according to the requirements of 85-2-402.

(f) During the term of the original lease, the department may modify or revoke the lease authorization if an appropriator other than an appropriator described in subsection (2)(i) proves by substantial credible evidence that his water right is adversely affected.

(g) The priority of appropriation for a lease under this section is the same as the priority of appropriation of the right that is leased.

(h) Neither a change in appropriation right nor any other authorization is required for the reversion of the appropriation right to the lessor's previous use.

(i) A person issued a water use permit with a priority of appropriation after the date of filing of an application for a lease authorization under this section may not object to the exercise of the lease according to its terms, the renewal of the lease, or the reversion of the appropriation right to the lessor according to the lessor's previous use.

(j) The department of fish, wildlife, and parks shall pay all costs associated with installing measuring devices or providing personnel to measure streamflows according to the measuring plan submitted under this section.

(3) A study report must be adopted by the board and commission and submitted to the water policy committee, which shall complete a final report by December 1, 1990.

NEW SECTION. Section 7. Appropriation of federal revenue for water leasing study. For the biennium ending June 30, 1991, the department of fish, wildlife, and parks may expend up to \$60,000 of federal special revenue to undertake the water leasing study required under [section 6].

NEW SECTION. Section 8. Extension of authority. Any existing authority to make rules on the subject of the provisions of [this act] is extended to the provisions of [this act].

NEW SECTION. Section 9. Codification instruction. (1) [Sections 4 and 6] are intended to be codified as an integral part of Title 85, chapter 2, part 4, and the provisions of Title 85, chapter 2, part 4, apply to [sections 4 and 6].

(2) [Section 5] is intended to be codified as an integral part of Title 87, chapter 1, part 6, and the provisions of Title 87, chapter 1, part 6, apply to [section 5].

NEW SECTION. Section 10. Effective date. [This act] is effective on passage and approval.

NEW SECTION. Section 11. Termination. [This act] terminates June 30, 1993."

And this Conference Committee Report be adopted.

For the Senate:

Galt, Chairman
Beck
Yellowtail

For the House:

O'Keefe
Spaeth
Grady

Report adopted.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Menahan in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Representative Schye present at this time.

HB 641 - Representative Quilici moved the conference committee report on HB 641 be adopted. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: Campbell, Grinde, Guthrie, Peterson, Raney, Simon, Stepler.
Total 7

Excused: Cobb, Moore.
Total 2

Absent or not voting: Kadas, O'Keefe.
Total 2

Representative Marks excused at this time.

HB 791 - Representative Ramirez moved the conference committee report on HB 791 be adopted. Motion carried as follows:

Ayes: Aafedt, Addy, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Compton, Daily, Darko, DeBruycker, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Hannah, Hanson, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kimberley, Knapp, Marks, McCormick, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, O'Connell, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Rehberg, Rice, Roth, Simon, Simpkins, Smith, Spring, Stepler, Swift, Swysgood, Thoft, Thomas, Wallin, Wyatt, Mr. Speaker.
Total 62

Noes: Bachini, Bardanouve, Cocchiarella, Cody, Cohen, Connelly, Davis, DeMars, Elliott, Gervais, Good, Grady, Grinde, Guthrie, Hansen, Harper, Kilpatrick, Koehnke, Lee, McDonough, Nisbet, O'Keefe, Peck, Raney, Ream, Russell, Schye, Squires, Stang, Stickney, Strizich, Westlake, Whalen, Zook.
Total 34

Paired: Marks, Aye; Cody, No.

Excused: Cobb, Moore.
Total 2

Absent or not voting: Kadas, Spaeth.
Total 2

Representative Marks present at this time.

Representative Ramirez excused at this time.

SB 458 - Representative Ream moved the conference committee report on SB 458 be adopted.

Representative Rehberg made a substitute motion the conference committee report on SB 458 be indefinitely postponed. Motion carried as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, Clark, Compton, Daily, DeBruycker, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Knapp, Koehnke, Lee, Marks, Mercer, L. Nelson, R. Nelson, T. Nelson, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Ramirez, Rehberg, Roth, Simon, Simpkins, Smith, Spring, Stepler, Swysgood, Thoft, Thomas, Wyatt, Zook.

Total 55

Noes: Addy, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cocchiarella, Cody, Cohen, Darko, Davis, DeMars, Driscoll, Gervais, Grady, Hansen, Harper, Harrington, Kadas, Kilpatrick, Kimberley, McCormick, McDonough, Menahan, Nisbet, Quilici, Raney, Ream, Rice, Russell, Schye, Spaeth, Squires, Stang, Stickney, Strizich, Swift, Wallin, Westlake, Whalen, Mr. Speaker.

Total 41

Paired: Ramirez, Aye; Harrington, No.

Excused: Cobb, Moore.

Total 2

Absent or not voting: Connelly, O'Connell.

Total 2

Representative Ramirez present at this time.

Representatives Driscoll, Glaser, Kadas, and Peck excused at this time.

HB 707 - Representative O'Keefe moved the conference committee report on HB 707 be adopted. Motion carried as follows:

Ayes: Aafedt, Addy, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Driscoll, Elliott, Eudaily, Gervais, Gilbert, Good, Gould, Grady, Hansen, Harper, Harrington, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Lee, Marks, McDonough, Menahan, Mercer, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Phillips, Quilici, Raney, Ream, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Squires, Stang, Stickney, Strizich, Whalen, Wyatt, Mr. Speaker.

Total 62

Noes: Bachini, Campbell, Clark, Cobb, Compton, Davis, DeBruycker, DeMars, Ellison, Giacometto, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Kasten, Keller, Knapp, Koehnke, McCormick, L. Nelson, Peterson, Ramirez, Rehberg, Spaeth, Spring, Stepler, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Zook.

Total 35

Paired: Driscoll, Grady, Kadas, Ayes; Cobb, Keller, Knapp, Noes.

Excused: Glaser, Moore, Peck.

Total 3

Absent or not voting: None.

Total 0

Representative Schye excused at this time.

Representative Glaser present at this time.

Representative Harper moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Menahan moved the adoption of the committee report. Report adopted. (70-22)

MOTIONS

Representative Harper moved the rules be suspended to permit consideration of the conference committee reports on HB 641, HB 791, and HB 707 on third reading this legislative day. Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 193, Senate amendments, concurred in as follows:

Ayes: Addy, Bachini, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Elliott, Gervais, Gould, Grady, Hansen, Hanson, Harper, Harrington, Johnson, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough, Menahan, L. Nelson, R. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Quilici, Raney, Ream, Rice, Russell, Spaeth, Squires, Stang, Stickney, Strizich, Thoft, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 55

Noes: Aafedt, Bardanouve, Boharski, Campbell, Compton, DeBruycker, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Grinde, Guthrie, Hannah, Hayne, Hoffman, Iverson, Kasten, Keller, Lee, Marks, Mercer, T. Nelson, Owens, Patterson, Peterson, Phillips, Ramirez, Rehberg, Roth, Simon, Simpkins, Smith, Spring, Stepler, Swift, Swysgood, Thomas, Wallin.
Total 40

Paired: Cobb, Aye; Mercer, No.

Excused: Driscoll, Kadas, Moore, Peck, Schye.
Total 5

Absent or not voting: None.
Total 0

HB 202, Senate amendments, concurred in as follows:

Ayes: Addy, Bachini, Blotkamp, Boharski, Bradley, J. Brown, Clark, Cohen, Compton, Connelly, Daily, Darko, DeBruycker, Ellison, Eudaily, Gervais, Glaser, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Johnson, Keller, Kilpatrick, Kimberley, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Spaeth, Spring, Squires, Stickney, Strizich, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 60

Noes: Aafedt, Bardanouve, Brooke, Campbell, Cocchiarella, Cody, Davis, DeMars, Elliott, Giacometto, Gilbert, Good, Gould, Grinde, Guthrie, Hayne, Hoffman, Iverson, Kasten, Knapp, L. Nelson, R. Nelson, T. Nelson, Peterson, Ream, Simon, Simpkins, Smith, Stang, Stepler, Swift, Swysgood, Thoft, Wallin.

Total 34

Paired: Schye, Aye; Giacometto, No.

Excused: Cobb, Driscoll, Kadas, Moore, Peck.

Total 5

Absent or not voting: D. Brown.

Total 1

HB 325, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peterson, Phillips, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Wyatt, Zook, Mr. Speaker.

Total 86

Noes: Clark, Koehnke, O'Keefe, Raney, Stang, Westlake, Whalen.

Total 7

Excused: Cobb, Driscoll, Kadas, Moore, Peck, Schye.

Total 6

Absent or not voting: Quilici.

Total 1

HB 333, Senate amendments, concurred in as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Elliott, Ellison, Eudaily, Gervais, Glaser, Good, Gould, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Iverson, Johnson, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 79

Noes: Aafedt, Campbell, DeBruycker, Giacometto, Gilbert, Grinde, Guthrie, Hayne, Kasten, Lee, Owens, Peterson, Smith, Steppler.

Total 14

Excused: Cobb, Driscoll, Kadas, Moore, Peck, Schye.

Total 6

Absent or not voting: Hoffman.

Total 1

HB 510, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott,

Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Cobb, Driscoll, Kadas, Moore, Peck, Schye.

Total 6

Absent or not voting: None.

Total 0

HB 547, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Bardanoue.

Total 1

Excused: Cobb, Driscoll, Kadas, Moore, Peck, Schye.

Total 6

Absent or not voting: Ellison.

Total 1

HB 618, Senate amendments, concurred in as follows:

Ayes: Addy, Bachini, Bardanoue, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Eudaily, Gervais, Grady, Guthrie, Hansen, Harper, Harrington, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough, Menahan, Moore, L. Nelson, R. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, Rice, Russell, Schye, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Thomas, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 61

Noes: Aafedt, Boharski, Campbell, Cobb, Compton, Elliott, Ellison, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Hannah, Hanson, Hayne, Hoffman, Iverson, Kasten, Keller, Lee, Marks, Mercer, T. Nelson, Owens, Patterson, Peterson, Phillips, Ramirez, Rehberg, Roth, Simon, Simpkins, Smith, Stepler, Swysgood, Thoft, Wallin, Zook.

Total 39

Paired: Driscoll, Kadas, Moore, Peck, Schye, Spring, Ayes; Aafedt, Cobb, Ellison, Giacometto, Hayne, Smith, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 717, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Cody.

Total 1

Excused: Cobb, Driscoll, Kadas, Moore, Peck, Schye.

Total 6

Absent or not voting: None.

Total 0

HB 718, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Cobb, Driscoll, Kadas, Moore, Peck, Schye.

Total 6

Absent or not voting: Bardanouve.

Total 1

HB 760, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cohen, Compton, Daily, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Kilpatrick, Kimberley, Knapp, Lee, McCormick, McDonough, Menahan, Mercer, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 78

Noes: Bachini, Brooke, Cody, Connelly, Darko, Davis, DeBruycker, DeMars, Elliott, Koehnke, Marks, L. Nelson, Owens, Stang, Stepler.

Total 15

Excused: Cobb, Driscoll, Kadas, Moore, Peck, Schye.

Total 6

Absent or not voting: Keller.

Total 1

HB 768, Senate amendments, concurred in as follows:

Ayes: Addy, Bachini, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, DeMars, Gervais, Grady, Harper, Harrington, Iverson, Johnson, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough, Menahan, Nisbet, O'Connell, O'Keefe, Pavlovich, Quilici, Raney, Ream, Rice, Russell, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 49

Noes: Aafedt, Bardanouve, Boharski, Campbell, Clark, Cody, Compton, DeBruycker, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Hayne, Hoffman, Kasten, Keller, Lee, Marks, Mercer, L. Nelson, R. Nelson, T. Nelson, Owens, Patterson, Peterson, Phillips, Ramirez, Rehberg, Roth, Simon, Simpkins, Smith, Stepler, Swift, Swysgood, Zook.

Total 45

Excused: Cobb, Driscoll, Kadas, Moore, Peck, Schye.

Total 6

Absent or not voting: None.

Total 0

HB 773, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: Campbell, Hayne, Kasten, Owens, Smith, Thomas.

Total 6

Excused: Cobb, Driscoll, Kadas, Moore, Peck, Schye.

Total 6

Absent or not voting: None.

Total 0

HB 780, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Good, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Iverson, Johnson, Keller, Kilpatrick, Kimberley, Knapp, Lee, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peterson, Phillips, Quilici, Raney, Rice, Russell, Simpkins, Smith, Spaeth, Spring, Squires, Steppler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 71

Noes: Boharski, Campbell, Clark, Cocchiarella, DeBruycker, Ellison, Glaser, Gould, Hayne, Hoffman, Kasten, Koehnke, Marks, Patterson, Ramirez, Ream, Rehberg, Roth, Simon, Stang, Swysgood, Thoft.

Total 22

Excused: Cobb, Driscoll, Kadas, Moore, Peck, Schye.

Total 6

Absent or not voting: Bardanouve.

Total 1

HJR 37, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Cobb, Driscoll, Kadas, Moore, Peck, Schye.

Total 6

Absent or not voting: None.

Total 0

HB 28, conference committee report, adopted as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis,

April 20, 1989

DeMars, Driscoll, Elliott, Eudaily, Gervais, Glaser, Good, Gould, Grady, Grinde, Hannah, Hansen, Harper, Harrington, Hoffman, Iverson, Johnson, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 75

Noes: Aafedt, Boharski, Campbell, Clark, Compton, DeBruycker, Ellison, Giacometto, Gilbert, Guthrie, Hanson, Hayne, Kasten, Keller, Lee, R. Nelson, T. Nelson, Owens, Spring, Wallin.

Total 20

Paired: Driscoll, Schye, Ayes; Giacometto, Owens, Noes.

Excused: Cobb, Kadas, Moore, Peck.

Total 4

Absent or not voting: Ream.

Total 1

HB 301, conference committee report, adopted as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Elliott, Ellison, Eudaily, Gervais, Gilbert, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Keller, Kilpatrick, Kimberley, Knapp, Marks, McDonough, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Simon, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 77

Noes: Campbell, DeBruycker, Giacometto, Glaser, Good, Guthrie, Hayne, Kasten, Koehnke, Lee, McCormick, R. Nelson, Owens, Patterson, Peterson, Roth, Simpkins.

Total 17

Excused: Cobb, Driscoll, Kadas, Moore, Peck, Schye.

Total 6

Absent or not voting: None.

Total 0

HB 452, conference committee report, adopted as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Cobb, Driscoll, Kadas, Moore, Peck, Schye.

Total 6

Absent or not voting: Quilici.

Total 1

HB 567, conference committee report, adopted as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Cobb, Driscoll, Kadas, Moore, Peck, Schye.

Total 6

Absent or not voting: Ellison, Simpkins.

Total 2

HB 752, conference committee report, adopted as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Simon, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: Campbell, Grinde, Guthrie, Hayne, Peterson.

Total 5

Excused: Cobb, Driscoll, Kadas, Moore, Peck, Schye.

Total 6

Absent or not voting: Ream, Simpkins.

Total 2

HB 766, conference committee report, adopted as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: Good, Grinde.
Total 2

Excused: Cobb, Driscoll, Kadas, Moore, Peck, Schye.
Total 6

Absent or not voting: Ellison.
Total 1

SB 95, conference committee report, adopted as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Eudaily, Gervais, Gould, Hansen, Harper, Harrington, Iverson, Johnson, Kilpatrick, Kimberley, Knapp, McCormick, McDonough, Menahan, R. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Phillips, Quilici, Raney, Ream, Rice, Russell, Spaeth, Squires, Stang, Stickney, Strizich, Wallin, Whalen, Wyatt, Mr. Speaker.
Total 53

Noes: Clark, Cobb, Compton, DeBruycker, Elliott, Ellison, Giacometto, Gilbert, Glaser, Good, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Kasten, Keller, Koehnke, Lee, Marks, Mercer, L. Nelson, T. Nelson, Owens, Patterson, Peterson, Ramirez, Rehberg, Roth, Simon, Simpkins, Smith, Spring, Steppler, Swift, Swysgood, Thoft, Thomas, Westlake, Zook.
Total 41

Paired: Boharski, Aye; Cobb, No.

Excused: Driscoll, Kadas, Moore, Peck, Schye.
Total 5

Absent or not voting: Grady.
Total 1

SB 132, conference committee report, adopted as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney,

Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: Boharski, Campbell, Glaser, Owens, Patterson.

Total 5

Excused: Cobb, Driscoll, Kadas, Moore, Peck, Schye.

Total 6

Absent or not voting: None.

Total 0

SB 209, conference committee report, adopted as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Elliott, Eudaily, Gervais, Giacometto, Good, Gould, Grady, Guthrie, Hannah, Hansen, Harper, Harrington, Hoffman, Iverson, Johnson, Kilpatrick, Kimberley, Knapp, Marks, McCormick, McDonough, Menahan, Mercer, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Simon, Spaeth, Spring, Squires, Stickney, Strizich, Swift, Thomas, Whalen, Wyatt, Mr. Speaker.

Total 64

Noes: Aafedt, Boharski, Campbell, Compton, DeBruycker, Gilbert, Glaser, Grinde, Hanson, Hayne, Kasten, Keller, Koehnke, Lee, L. Nelson, Owens, Patterson, Peterson, Phillips, Roth, Simpkins, Smith, Stang, Stepler, Swysgood, Thoft, Wallin, Westlake, Zook.

Total 29

Excused: Cobb, Driscoll, Kadas, Moore, Peck, Schye.

Total 6

Absent or not voting: Ellison.

Total 1

SB 226, conference committee report, adopted as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: Boharski, Ellison, Ramirez, Raney, Swift, Swysgood, Thoft.

Total 7

Excused: Cobb, Driscoll, Kadas, Moore, Peck, Schye.

Total 6

Absent or not voting: None.

Total 0

SB 241, conference committee report, adopted as follows:

April 20, 1989

Ayes: Addy, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Eudaily, Gervais, Gould, Grady, Hansen, Harper, Harrington, Hayne, Hoffman, Johnson, Keller, Kilpatrick, Kimberley, Knapp, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Spaeth, Squires, Stickney, Strizich, Thomas, Wallin, Whalen, Wyatt, Mr. Speaker.

Total 59

Noes: Aafedt, Bachini, Bardanouve, Boharski, Campbell, Clark, Compton, DeBruycker, Elliott, Giacometto, Gilbert, Glaser, Good, Grinde, Guthrie, Hannah, Hanson, Iverson, Kasten, Koehnke, Lee, T. Nelson, Owens, Patterson, Peterson, Smith, Spring, Stang, Steppler, Swift, Swysgood, Thoft, Westlake, Zook.

Total 34

Excused: Cobb, Driscoll, Kadas, Moore, Peck, Schye.

Total 6

Absent or not voting: Ellison.

Total 1

SB 283, conference committee report, adopted as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: Cohen, Ellison, Koehnke, O'Keefe, Ramirez, Raney, Stang.

Total 7

Excused: Cobb, Driscoll, Kadas, Moore, Peck, Schye.

Total 6

Absent or not voting: None.

Total 0

SB 427, conference committee report, adopted as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring,

Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: Cody.
Total 1

Excused: Cobb, Driscoll, Kadas, Moore, Peck, Schye.
Total 6

Absent or not voting: None.
Total 0

SB 465, conference committee report, adopted as follows:

Ayes: Addy, Bachini, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Eudaily, Gervais, Gould, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Iverson, Johnson, Kilpatrick, Kimberley, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Simon, Smith, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 62

Noes: Aafedt, Bardanouve, Boharski, Campbell, Clark, DeBruycker, Elliott, Ellison, Giacometto, Gilbert, Glaser, Good, Grinde, Guthrie, Hayne, Hoffman, Kasten, Keller, Knapp, Koehnke, Lee, Marks, Owens, Patterson, Peterson, Roth, Simpkins, Spring, Swift, Swysgood, Thoft, Thomas.
Total 32

Excused: Cobb, Driscoll, Kadas, Moore, Peck, Schye.
Total 6

Absent or not voting: None.
Total 0

SB 472 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: Gilbert, Gould, Grinde, Stang, Steppler.
Total 5

Excused: Cobb, Driscoll, Kadas, Moore, Peck, Schye.
Total 6

Absent or not voting: None.
Total 0

SB 473 concurred in as follows:

April 20, 1989

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Good, Grinde, O'Keefe, Peterson.

Total 4

Excused: Cobb, Driscoll, Kadas, Moore, Peck, Schye.

Total 6

Absent or not voting: None.

Total 0

SB 474 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grinde, Guthrie, Hannah, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: DeBruycker.

Total 1

Excused: Cobb, Driscoll, Kadas, Moore, Peck, Schye.

Total 6

Absent or not voting: Good, Grady, Hansen.

Total 3

SJR 21 concurred in as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Harper, Harrington, Hoffman, Iverson, Johnson, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 83

Noes: Aafedt, DeBruycker, Gilbert, Hanson, Hayne, Kasten, Lee, Owens, Roth, Whalen.

Total 10

Excused: Cobb, Driscoll, Kadas, Moore, Peck, Schye.

Total 6

Absent or not voting: Hansen.

Total 1

SJR 23 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: DeBruycker, Kasten, Stepler.

Total 3

Excused: Cobb, Driscoll, Kadas, Moore, Peck, Schye.

Total 6

Absent or not voting: Owens.

Total 1

HB 641, conference committee report, adopted as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: Boharski, Harper, Lee, O'Keefe, Raney, Stepler.

Total 6

Excused: Cobb, Driscoll, Kadas, Moore, Peck, Schye.

Total 6

Absent or not voting: None.

Total 0

HB 791, conference committee report, adopted as follows:

Ayes: Aafedt, Addy, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Compton, Daily, Darko, DeBruycker, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Hannah, Hansen, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kimberley, Knapp, Marks, McCormick, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, O'Connell, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spring, Squires, Stang, Steppler, Swift, Swysgood, Thoft, Thomas, Wallin, Wyatt, Zook, Mr. Speaker.

Total 65

Noes: Bachini, Bardanouve, Cocchiarella, Cody, Cohen, Connelly, Davis, DeMars, Elliott, Gervais, Good, Grinde, Guthrie, Hansen, Harper, Kilpatrick, Koehnke, Lee, McDonough, Nisbet, O'Keefe, Raney, Ream, Stickney, Strizich, Westlake, Whalen.

Total 27

Excused: Cobb, Driscoll, Kadas, Moore, Peck, Schye.

Total 6

Absent or not voting: Grady, Spaeth.

Total 2

HB 707, conference committee report, adopted as follows:

Ayes: Aafedt, Addy, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Elliott, Eudaily, Gervais, Gilbert, Good, Gould, Grady, Harper, Harrington, Iverson, Johnson, Kilpatrick, Kimberley, Lee, Marks, McCormick, McDonough, Menahan, Mercer, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Squires, Stang, Stickney, Strizich, Whalen, Wyatt, Mr. Speaker.

Total 58

Noes: Bachini, Campbell, Clark, Compton, Davis, DeBruycker, DeMars, Ellison, Giacometto, Glaser, Grinde, Guthrie, Hannah, Hansen, Hayne, Hoffman, Kasten, Keller, Knapp, Koehnke, L. Nelson, Owens, Patterson, Peterson, Ramirez, Spaeth, Spring, Steppler, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Zook.

Total 35

Excused: Cobb, Driscoll, Kadas, Moore, Peck, Schye.

Total 6

Absent or not voting: Hansen.

Total 1

MESSAGES FROM THE SENATE

The Senate, on 4/20/89, appointed a conference committee to meet with a like committee from the House to confer on SB 130.

President Galt appointed the following members:

Senator Aklestad, Chairman
Senator Keating
Senator Manning

MESSAGES FROM THE GOVERNOR

John Vincent

April 20, 1989

Speaker of the House
Montana House of Representatives
State Capitol
Helena, Montana 59620

Dear Representative Vincent:

Please be informed that I have signed House Bills 1, 173, 227, 390, 415, 588, and 709 on April 20, 1989.

Sincerely,

STAN STEPHENS
Governor

April 20, 1989

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, Montana 59620

The Honorable Jack Galt
President of the Senate
State Capitol
Helena, Montana 59620

Dear Representative Vincent and Senator Galt:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby make the amendatory veto to House Bill 100, "THE GENERAL APPROPRIATIONS ACT OF 1989 FOR THE APPROPRIATION OF MONEY TO VARIOUS STATE AGENCIES FOR THE BIENNIUM ENDING JUNE 30, 1991." This amendatory veto is made for the following reasons.

The people of our state want essential services but control on growth of government spending. I have previously signed legislation providing for tax credits for the care of the elderly as an incentive to maintain our most senior citizens in their homes. I have signed legislation that permits the Board of Housing to develop alternative loan packages to all fixed-low-income seniors to remain in their homes. I have attempted to identify those areas where the level of services provided would not be significantly affected.

House Bill 100, in its present form, demonstrates the inability to curtail the growth of government spending for state government. Significant time and effort has been devoted to the workings by the legislature during these 88 days. My amendments take into account this legislative effort and I trust the legislature recognizes the very limited time made available to the Governor in evaluating HB 100 and subsequently offering amendments.

My amendments start first with the Governor's Office. My proposed amendment is the second reduction of air transportation service for the Governor after the revelation of engine defects in the airplane.

My amendments also reduce government spending in human service areas, medical provider reimbursements, institutions, coal board allocations and other areas.

The people of this state want and deserve all possible cost saving measures. They want and deserve limited growth of government spending. They want the legislative representatives to make the hard choices presented and by these amendments extend that desire. But, state government is not

excused from poor fiscal times and the Montana taxpayer cannot ignore what we do here.

We still face a considerable task toward the Montana Supreme Court order of school funding equalization. We cannot simply permit "business as usual" in state government appropriations when the other major funding issue is not resolved and substantial changes in our state's method of doing business is not altered.

The Governor's amendatory veto affects many different programs. The one common denominator is that this veto is, in the most part, aimed at reducing increases in the budget. Instead of provider increases of 2% and 3% we are proposing 1% and 2% increases. Instead of beginning the new waiver programs July 1, we are recognizing that start-up times can be delayed for one year. We are proposing to reduce the number of new parole officers from 5 to 3, the coal board by \$1,000,000, and the appropriation for the governor's airplane by \$100,000.

Other reductions for the Deaf and Blind School, respite care, and family planning can be made available from elsewhere in the affected agency budgets to mitigate these reductions.

The only increase I am proposing is \$10,000 for the Legacy Legislature. This is a valuable activity for the senior citizens in Montana and deserves state assistance. It went through the appropriations process. I vetoed the income tax checkoff as complicating our tax form, and as bad tax policy.

My amendments are presented as follows:

A. The specific amendment is identified.

B. The amendments follow the numerical paging and do not necessarily reflect any ranking order.

The net effect of the governor's amendatory veto of HB 100 is to reduce General Fund spending by \$5,626,922. I ask your support of these amendments.

Governor's Amendments to HB 100

GA-1. This amendment reduces the amount authorized for purchase of an airplane for the Governor by \$100,000.

1. Page A-6, line 14.

Strike: "967,598 956,208"

Insert: "917,598 906,208"

2. Page A-8, line 15.

Strike: "715,000"

Insert: "615,000"

GA-2. This amendment reduces by one half general fund increases for the family planning program in the Department of Health and Environmental Sciences. General fund is decreased by \$50,000 over the biennium. The department has identified this increase as the lowest priority for program expansions.

1. Page B-2, line 20.

Strike: "50,000 13,900,887 50,000 14,731,672"

Insert: "25,000 13,900,887 25,000 14,731,672"

GA-3. This amendment delays expansion of waiver services to Butte and Lewistown until FY91 and delays hire of the administrative

position until FY90. General fund is reduced by \$194,791 and federal funds by \$451,820 over the biennium.

1. Page B-9, line 25.

Strike: "821,202 1,930,459 781,007 1,938,414"

Insert: "681,676 1,828,526 818,600 1,933,162"

2. Page B-10, line 7.

Strike: "630,203 1,479,692 598,681 1,485,882"

Insert: "520,575 1,399,601 628,218 1,481,676"

3. Page B-11, line 11.

Strike: "12,767 (general fund FY90)

12,768 (federal funds FY90)"

GA-4. This amendment reduces medical provider rate increases from 2% to 1% per year. General fund decreases by \$974,689 and federal funds by \$2,368,456 over the biennium.

1. Page B-11, line 7.

Strike: "624,763 1,517,368 1,324,615 3,219,543"

Insert: "312,381 758,684 662,308 1,609,772"

GA-5. The amendment reduces rate increase for nursing homes from 3% to 2%. General fund decreases by \$442,594 and federal funds by \$1,096,525 over the biennium.

1. Page B-11, line 9.

Strike: "439,334 1,084,546 888,446 2,205,030"

Insert: "292,889 723,030 592,297 1,470,020"

GA-6. This amendment reduces vocational rehabilitation provider increases from 2% to 1% per year. General fund is decreased by \$20,737, state special funds by \$10,106 and federal funds by \$121,516 over the biennium.

1. Page B-11, line 25.

Strike: "13,186 7,308 79,958 28,288 12,904 163,074"

Insert: "6,593 3,654 39,979 14,144 6,452 81,537"

GA-7. This amendment reduces visual service provider rate increases from 2% to 1%. General fund decreases by \$1,609 and federal funds by \$11,120 over the biennium.

1. Page B-12, line 17.

Strike: "1,072 7,414 2,146 14,826"

Insert: "536 3,707 1,073 7,413"

GA-8. This amendment reduces by one half additional benefits in developmental disabilities program for respite care. General fund decreases by \$48,210 over the biennium.

1. Page B-13, line 9.

Strike: "48,209 48,209"

Insert: "24,104 24,104"

GA-9. This amendment delays start of Farm in the Dell until January 1990. General fund is reduced by \$67,712 in FY90. (Both benefit costs in Social and Rehabilitation Services and Family Services are impacted.)

1. Page B-13, line 11.

Strike: "126,400"

April 20, 1989

Insert: " 63,200"

2. Page B-19, line 18.

Strike: "9,024"

Insert: "4,512"

GA-10. This amendment reduces rate increases for developmentally disabled services from 2% to 1% per year. General fund declines \$453,709 and federal funds decline \$113,564 over the biennium.

1. Page B-13, line 13.

Strike: "13,282,585"

Insert: "13,244,723"

2. Page B-13, line 15.

Strike: "7,576,649 8,593,493 14,418,873"

Insert: "7,452,512 8,291,221 14,343,149"

GA-11. This amendment reduces the following provider rate increases: foster care families from 2% to 1% per year; protective services day care from \$.50 to \$.25 per day in FY90 and from an additional \$1.00 to \$.50 per day in FY91; and residential foster care providers from 85% to about 74% of the model rate matrix in FY90 and from 100% to about 83% in FY91. The amendment reduces general fund by \$1,596,142 and federal funds by \$205,895 over the biennium.

1. Page B-19, line 15.

Strike: "6,582,657 7,697,077"

Insert: "6,033,927 6,649,665"

2. Page B-19, line 16.

Strike: "1,139,650 2,580,266 1,139,650 2,520,639"

Insert: "1,139,650 2,502,158 1,139,650 2,392,852"

GA-12. This amendment appropriates \$10,000 general fund in FY90 for the legacy legislature.

1. Page B-19, line 13.

Strike: "2,486,977"

Insert: "2,496,977"

GA-13. This amendment deletes the appropriation for teacher annual leave and holiday pay at Mountain View and Pine Hills schools. General fund is reduced \$77,112 over the biennium.

1. Page B-20.

Following: line 7

Strike: lines 8 and 9 in their entirety

2. Page B-20.

Following: line 14

Strike: lines 15 and 16 in their entirety

GA-14. This amendment redirects \$1,000,000 from the fiscal year 1991 coal board local impact account to the general fund, leaving the following grant funds: (1) \$305,065 in FY90 and \$305,278 in FY91 for the Eastern Coal Counties Task Force drug enforcement grants, (2) the \$2.8 million biennial appropriation for 14 miles of Highway 314 in Big Horn County pursuant to House Bill 709, and (3) a \$1,699,594 cash balance for other grants.

1. Page C-22, line 17.

Strike: "3,049,816" (State Special Revenue 1991)
Insert: "2,049,816" (State Special Revenue 1991)

2. Page C-24.

Following: line 21

Insert: "A portion of the coal severance tax local impact account is appropriated from the coal board to the general fund in fiscal year 1991."

GA-15. This amendment reduces community corrections cost of living increase from 2% to 1%. General fund declines by \$11,998 in FY90 and \$24,235 in FY91.

1. Page D-1, line 22.

Strike: "4,062,883 4,020,873"

Insert: "4,050,885 3,996,638"

GA-16. This amendment reduces the number of probation officers added in Senate Finance & Claims from 5.00 FTE to 3.00 FTE. General fund decreases \$76,688 in FY90 and \$54,202 in FY91.

1. Page D-1, line 22.

Strike: "4,062,883 4,020,873"

Insert: "3,989,195 3,966,671"

GA-17. This amendment delays hire of the prison food service supervisor until FY91. General fund declines \$23,107 in FY90.

1. Page D-2, line 8.

Strike: "13,160,642"

Insert: "13,137,535"

GA-18. This amendment reduces the increase for community mental health centers from 2% to 1%. General fund is decreased \$51,125 in FY90 and \$103,273 in FY91.

1. Page D-3, line 21.

Strike: "102,250 206,545"

Insert: "51,125 103,273"

GA-19. This amendment removes the appropriation for teacher holiday and sick leave benefits from the Montana School for the Deaf and Blind. General fund is decreased by \$130,714 in FY90 and \$134,275 in FY91.

1. Page E-2.

Following: line 7

Strike: lines 8 and 9 in their entirety

2. Page E-2.

Following: line 13

Strike: lines 14 and 15 in their entirety

Sincerely,

STAN STEPHENS
Governor

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, Montana 59620

April 20, 1989

The Honorable Jack Galt
President of the Senate
State Capitol
Helena, Montana 59620

Dear Representative Vincent and Senator Galt:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby veto the adoption of Senate Bill 287, "AN ACT IMPOSING A 2-MILL LEVY UPON THE TAXABLE VALUE OF ALL REAL AND PERSONAL PROPERTY SUBJECT TO TAXATION IN MONTANA FOR THE SUPPORT AND MAINTENANCE OF VOCATIONAL AND TECHNICAL EDUCATION; REPLACING REVENUE FROM THE SCHOOL DISTRICT LEVY FOR VOCATIONAL-TECHNICAL CENTERS; PROVIDING FOR THE RESTRICTED USE OF THE STATEWIDE MILL LEVY AT COMMUNITY COLLEGES; ~~PROVIDING A STATUTORY APPROPRIATION;~~ AMENDING SECTIONS 15-10-402, ~~17-7-502,~~ 20-15-311, AND 20-16-205, MCA; REPEALING SECTION 20-16-207, MCA; AND PROVIDING AN EFFECTIVE DATE AND A RETROACTIVE APPLICABILITY DATE FOR THE TAX LEVY.", for the following reasons.

My veto action on Senate Bill 287 today is done with consideration for the needs of community colleges, vocational technical centers and the Montana taxpayers.

Senate Bill 287 is a statewide property tax increase. It is growth in government spending. The people of Montana did not have a vote on this increase. This increase is not mandated by a supreme court ruling on public school equalization. This property tax increase has no future review or confirmation by the people.

If Senate Bill 287 became law, a significant shift of taxing responsibility would be imposed on the people of the state from a community college and vocational technical center community. The origin of "community" colleges were just that - colleges founded, operated and funded by the local community. This is an unacceptable expansion of state government and an unnecessary growth in government spending.

My veto of Senate Bill 287 will not deprive Vo-Techs and community colleges of required funding. This revenue is already provided in House Bill 100, the major appropriations bill.

Sincerely,

STAN STEPHENS
Governor

MOTIONS

Representative Harper moved the conference committee on HB 791 be dissolved and the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 791. Motion carried.

Speaker Vincent appointed the following members:

Representative Harrington, Chairman
Representative Schye
Representative Ramirez

Representative Harper moved the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate to confer on House amendments to SB 130. Motion carried.

Speaker Vincent appointed the following members:

Representative Squires, Chairman
Representative Hansen
Representative T. Nelson

Representative Harper moved the free conference committee on SB 377 be dissolved and the Speaker be authorized to appoint a new free conference committee to meet with a like committee from the Senate to confer on House amendments to SB 377. Motion carried.

Speaker Vincent appointed the following members:

Representative Addy, Chairman
Representative Strizich
Representative Gould

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved the House adjourn until 10:00 a.m., Friday, April 21, 1989.

Motion carried.

House adjourned at 6:10 p.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

NINETIETH LEGISLATIVE DAY

Helena, Montana
April 21, 1989

House Chambers
State Capitol

House convened at 10:10 a.m., Mr. Speaker in the Chair. Invocation by Representative Spaeth. Pledge of Allegiance to the Flag.

Roll call. All members present except Moore, excused. Quorum present.

Representative Harper moved the House recess until 11:15 a.m.

Motion carried.

House recessed at 10:15 a.m.

House reconvened at 11:30 a.m. Mr. Speaker in the Chair.

REPORTS OF SELECT COMMITTEES

Free Conference Committee Report
on Senate Bill 431
Report No. 1, April 21, 1989

Mr. President and Mr. Speaker:

We, your Free Conference Committee on Senate Bill 431 considered and recommend that SB 431 (reference copy — salmon) be amended as follows:

1. Title, line 11.

Following: "FOR"

Insert: "AN APPROPRIATION AND A"

2. Title, line 18.

Strike: "AND"

3. Title, page 2, line 2.

Following: "MCA"

Insert: "; AND PROVIDING EFFECTIVE DATES"

4. Page 4, line 1.

Following: "~~granted.~~"

Insert: "A holder does not acquire a vested right in the license or permit issued or other department approval granted."

5. Page 5, lines 16, 21, and 25.

Page 6, lines 4 and 9.

Strike: "OR SYMBOLS"

6. Page 5, line 22.

Strike: "OR SYMBOL"

7. Page 12, line 9.

Following: "manufacture"

Insert: ", lease,"

8. Page 15, line 12.

Following: "THE"

Insert: "gambling activity,"

Following: "ACT"

Insert: ", "

9. Page 17, line 7.

Following: "deposited"

Insert: "one-half"

10. Page 17, line 14.

Following: "FUND"

Insert: "and one-half in the general fund of the county in which the violation occurred"

11. Page 18, line 14 through page 19, line 14.

Strike: subsections (3) and (4) in their entirety

12. Page 24, lines 17 through 19.

Strike: subsection (3) in its entirety

13. Page 31, lines 24 and 25.

Strike: "(INCLUDING JACKS OR BETTER)"

14. Page 33, line 16.

Page 50, line 21.

Strike: "under 16-4-401 (2)"

15. Page 33, line 20.

Following: "tables."

Insert: "If one or more live card game tables were legally operated on a premises on January 15, 1989, and the premises were not on that date licensed under 16-4-401(2) but were licensed on that date to sell food, cigarettes, or any other consumable product, an operator's license and an annual permit for the placement of live card game tables may be granted to the person who legally operated the premises on January 15, 1989."

16. Page 49, line 21.

Following: "operator."

Insert: "The department shall adopt rules allowing a video gambling machine that needs repair to be temporarily replaced while it is being repaired with a video gambling machine that is approved under the permit provisions of this part. A fee may not be charged for the replacement machine."

17. Page 51, lines 2 through 10.

Strike: subsection (B) in its entirety

Renumber: subsequent subsections

18. Page 51, line 13.

Strike: "UNDER 16-4-401(2)"

Insert: "to sell alcoholic beverages for consumption on the premises"

19. Page 51, lines 19 through 23.

Strike: "; TO AN" on line 19 through "PERMITS" on line 23

20. Page 54, line 3.

Following: "located."

Insert: "The local government portion of the fee is statutorily appropriated to the department, as provided in 17-7-502, for deposit in the local government treasury."

21. Page 59, line 13.

Strike: "\$800"

Insert: "\$100"

22. Page 61, line 3.

Following: "part,"

Insert: "a person who purposely or knowingly violates or procures, aids, or abets"

23. Page 61, line 5.

Following: "~~department~~"

Insert: "or an ordinance, resolution, or rule adopted under this part"

Following: "is"

Insert: "guilty of"

24. Page 63, lines 24 and 25.

Strike: "qualified" on line 24 through "(4) and" on line 25

25. Page 64, lines 3 and 4.

Strike: subsection (2) in its entirety

Insert: "(2) the proceeds from the pool, minus administrative costs and prizes paid, are contributed to a charitable or nonprofit corporation, association, or cause;"

Renumber: subsequent sections

26. Page 67, line 11.

Following: "23-5-610;"

Insert: "23-5-612;"

27. Page 72, line 4.

Following: line 3

Insert: "NEW SECTION. Section 69. Proration of certain fees. A fee imposed under 23-5-321, 23-5-421, 23-5-612, 23-5-625, or 23-5-631 between [the effective date of this section] and October 1, 1989, must be prorated to cover only the period between the date the permit or license takes effect and October 1, 1989.

NEW SECTION. Section 70. Appropriation. The following appropriation is made from a state special revenue account to the department of justice for the purpose of implementing [this act] and administering chapter 5 of Title 23:

Fiscal year beginning July 1, 1989	\$527,081
------------------------------------	-----------

Fiscal year beginning July 1, 1990	\$449,081"
------------------------------------	------------

Renumber: subsequent sections

28. Page 74.

Following: line 2

Insert: "NEW SECTION. Section 75. Effective dates. (1) [Subsection (2) of section 7 and sections 63 through 67, 69, 72, 73, and this section] are effective on passage and approval.

(2) [Section 70] is effective on July 1, 1989.

(3) The remaining sections are effective on October 1, 1989."

And this Conference Committee Report be adopted.

For the Senate:

For the House:

Gage, Chairman
B. Brown
Mazurek

D. Brown
Strizich
Gould

Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:

4/20/89

HB 772, introduced by Simpkins**HJR 39**, introduced by Wyatt

House bill concurred in as amended and returned to the House for concurrence in Senate amendments: 4/20/89

HB 795, introduced by Vincent

House bill not concurred in and returned to the House: 4/21/89

HB 765, introduced by Vincent

House amendments concurred in: 4/20/89

SB 282, introduced by Halligan

Governor's amendments concurred in and transmitted to the House for consideration: 4/20/89

SB 129, introduced by Manning

Conference committee report adopted: 4/20/89

HB 641, introduced by Quilici

Free conference committee reports adopted: 4/20/89

HB 707, introduced by Iverson**SB 431**, introduced by Gage**SB 458**, introduced by Eck**SB 465**, introduced by Pipinich

Conference committee report rejected: 4/20/89

HB 791, introduced by Ramirez**MESSAGES FROM THE GOVERNOR**

John Vincent April 21, 1989
 Speaker of the House
 Montana House of Representatives
 State Capitol
 Helena, Montana 59620

Dear Representative Vincent:

Please be informed that I have signed House Bills 26, 420, 552, 554, 555, 563, and 742 on April 21, 1989.

Sincerely,

STAN STEPHENS
 Governor

The Honorable John Vincent April 20, 1989
 Speaker of the House
 State Capitol
 Helena, Montana 59620

The Honorable Jack Galt
 President of the Senate
 State Capitol
 Helena, Montana 59620

Dear Representative Vincent and Senator Galt:

April 21, 1989

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby make the following line-item veto to House Bill 56, "AN ACT DIRECTING THE DEPARTMENT OF HIGHWAYS TO DESIGN, ERECT, AND MAINTAIN CERTAIN WELCOME AND FAREWELL SIGNS; PROVIDING CERTAIN EXCEPTIONS; PROVIDING GENERAL SPECIFICATIONS FOR THE SIGNS; ~~PROVIDING FOR PAYMENT OF THE COSTS FROM THE LODGING FACILITY USE TAX; AMENDING SECTION 15-65-121, MCA; AUTHORIZING THE DEPARTMENT OF HIGHWAYS TO ACCEPT AND EXPEND MONEY FOR THE PURPOSE OF THIS ACT; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A TERMINATION DATE.~~"

Pursuant to Section 5-4-303, MCA, and Article VI, Section 10 of the Montana Constitution, I disapprove and object to the appropriation for the 1990-1991 biennium of \$25,000 from the Highway Special Revenue Fund to pay toward this project.

I therefore line-item veto the 1990-1991 biennium appropriation of \$25,000 in its entirety.

Such appropriation amount is found on page 3, line 22 of the Reference Copy of House Bill 56. At the time of signing this bill, I append to the bill my statement of the line-item veto, the item objected, and my reason for objection.

I will direct the Departments of Commerce and Highways to use such other funds received from private persons for the purposes of accomplishing this act. I believe that civic organizations can join in a partnership with the State to fund this project without the need of increased government spending.

Sincerely,

STAN STEPHENS
Governor

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, Montana 59620

April 20, 1989

The Honorable Jack Galt
President of the Senate
State Capitol
Helena, Montana 59620

Dear Representative Vincent and Senator Galt:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby veto the adoption of House Bill 761, "AN ACT ESTABLISHING AN INCOME TAX VOLUNTARY CHECKOFF TO PROVIDE FUNDS FOR SEARCH AND RESCUE OPERATIONS; DESIGNATING THAT THE DEPARTMENT OF JUSTICE USE THE CHECKOFF REVENUE TO SUPPLEMENT FUNDING OF SEARCH AND RESCUE OPERATIONS CONDUCTED UNDER THE SUPERVISION OF COUNTY SHERIFFS' OFFICES; ESTABLISHING A SEARCH AND RESCUE ACCOUNT; APPROPRIATING CHECKOFF FUNDS TO THE DEPARTMENT OF JUSTICE; AND AMENDING SECTION 7-32-235, MCA." for the following reasons.

On April 14, 1989, I vetoed House Bill 444, an income tax checkoff for the Legacy Legislature. In that veto message I stated that to further expand the individual income tax checkoff for fund raising activity as an alternative to the legislative appropriations is not wise. The result extends the length of an already complex tax return form. It creates additional taxpayer frustrations at income tax time. The State's tendency to expand tax alternatives must be curtailed.

It is estimated that this income tax checkoff will raise less than \$2,000 in the biennium. The administrative costs of processing this checkoff could potentially cost more than \$18,000. This is a bad tax policy. This is an example of growth in government spending without a demonstrated benefit.

I realize again that there are numerous worthy programs that would seek an opportunity for further tax checkoff privileges. However, a compelling public policy interest has not been demonstrated to me to allow further governmental expansion in this money raising procedure. The search and rescue operations will maintain the optional funding provided to counties as provided in Section 7-32-235, MCA.

Sincerely,

STAN STEPHENS
Governor

MOTIONS

Representative D. Brown moved the House override the Governor's line-item veto on HB 401. Motion failed. (52-47)

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Addy in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Representatives Good and Kimberley excused at this time.

HB 100 - Representative Spaeth moved the Governor's amendments to HB 100 be not concurred in.

Representative Thoft made a substitute motion the Governor's amendments to HB 100 be concurred in. Motion failed as follows:

Ayes: Aafedt, Boharski, Campbell, Clark, Compton, DeBruycker, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Grinde, Guthrie, Hanson, Hayne, Hoffman, Iverson, Kasten, Keller, Marks, Mercer, R. Nelson, T. Nelson, Owens, Patterson, Peterson, Phillips, Ramirez, Rehberg, Roth, Simon, Simpkins, Smith, Spring, Swift, Swysgood, Thoft, Thomas, Wallin, Zook.

Total 41

Noes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Gervais, Gould, Grady, Hannah, Hansen, Harper, Harrington, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Moore, L. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, Rice, Russell, Schye,

April 21, 1989

Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 59

Paired: Giacometto, Good, R. Nelson, Ayes; Kimberley, Moore, O'Keefe, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Thereupon, the Governor's amendments to HB 100 were not concurred in as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Gervais, Gould, Grady, Hannah, Hansen, Harper, Harrington, Hoffman, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Moore, L. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, Rice, Russell, Schye, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 60

Noes: Aafedt, Boharski, Campbell, Clark, Compton, DeBruycker, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Grinde, Guthrie, Hanson, Hayne, Iverson, Kasten, Keller, Marks, Mercer, R. Nelson, T. Nelson, Owens, Patterson, Peterson, Phillips, Ramirez, Rehberg, Roth, Simon, Simpkins, Smith, Spring, Swift, Swysgood, Thoft, Thomas, Wallin, Zook.

Total 40

Paired: Kimberley, Moore, O'Keefe, Ayes; Giacometto, Good, R. Nelson, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Kimberley present at this time.

SB 215 - Representative Harper moved the Governor's amendments to SB 215 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Good, Moore.

Total 2

Absent or not voting: Kadas.

Total 1

Representative Harper moved the committee rise, report progress and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Addy moved the adoption of the committee report. Report adopted. (68-31)

MOTIONS

Representative Harper moved the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on Governor's amendments to HB 100. Motion carried.

Speaker Vincent appointed the following members:

Representative Spaeth, Chairman

Representative Bradley

Representative Thoft

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Addy in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 285 - Representative Smith moved the Governor's amendments to SB 285 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Kilpatrick.

Total 1

Excused: Moore.

Total 1

Absent or not voting: Bardanouve, D. Brown, Cohen, Schye.

Total 4

HJR 50 - Representative Boharski moved consideration of HJR 50 be passed for the day. Motion carried.

April 21, 1989

HB 795 - Representative Vincent moved Senate amendments to HB 795 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: Grinde.
Total 1

Excused: Moore.
Total 1

Absent or not voting: Westlake.
Total 1

SB 431 - Representative Strizich moved the conference committee report on SB 431 be adopted. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hanson, Harper, Hayne, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Spring, Squires, Steppler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 78

Noes: Brooke, D. Brown, Campbell, Daily, Davis, Gervais, Giacometto, Hansen, Harrington, Hoffman, Menahan, Owens, Pavlovich, Peck, Ramirez, Smith, Stang, Swysgood, Thoft.
Total 19

Excused: Moore.
Total 1

Absent or not voting: Bardanouve, Hannah.
Total 2

HB 791 - Representative Ramirez moved the conference committee report on HB 791 be adopted. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cody, Cohen, Compton, Daily, Darko, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas,

Kasten, Keller, Kimberley, Knapp, Koehnke, Marks, McCormick, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 83

Noes: Bradley, Cobb, Cocchiarella, Connelly, Davis, Grady, Guthrie, Kilpatrick, McDonough, O'Keefe, Peck, Stang, Whalen.

Total 13

Excused: Moore.

Total 1

Absent or not voting: Bardanouve, Lee, Spaeth.

Total 3

Representative Harper moved the committee rise, report progress and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Addy moved the adoption of the committee report. Report adopted. (87-9)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 566, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: Campbell.

Total 1

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

HB 614, Senate amendments, concurred in as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Hansen, Harper, Harrington, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T.

Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, Rice, Russell, Schye, Simon, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 70

Noes: Aafedt, Campbell, Clark, Ellison, Giacometto, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Kasten, Keller, Lee, Owens, Patterson, Peterson, Ramirez, Rehberg, Roth, Simpkins, Smith, Spring, Swift, Swysgood, Thoft, Thomas, Wallin.

Total 28

Excused: Moore.

Total 1

Absent or not voting: Darko.

Total 1

HJR 13, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Campbell, Cobb, Giacometto, Grinde, Hannah, Hayne, Kasten.

Total 7

Excused: Moore.

Total 1

Absent or not voting: O'Keefe.

Total 1

HB 700, Governor's amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: D. Brown, Campbell, Swysgood.

Total 3

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

SB 105, Governor's amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Bradley, J. Brown, Clark, Compton, Connelly, Daily, Darko, DeBruycker, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Gould, Grady, Guthrie, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, Menahan, Mercer, R. Nelson, T. Nelson, O'Connell, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Squires, Stepler, Swift, Swysgood, Thoft, Thomas, Wallin, Zook, Mr. Speaker.

Total 63

Noes: Blotkamp, Boharski, Brooke, D. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Davis, DeMars, Driscoll, Elliott, Glaser, Good, Grinde, Hannah, Hayne, Kadas, Koehnke, McDonough, L. Nelson, Nisbet, O'Keefe, Peck, Ramirez, Raney, Ream, Schye, Spring, Stang, Stickney, Strizich, Westlake, Whalen, Wyatt.

Total 36

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

SB 129, Governor's amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: Brooke, Cody, Driscoll, Hansen, McDonough, Owens, Quilici, Spring, Stang, Stepler.

Total 10

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

SB 303, Governor's amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison,

Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Campbell, Clark, Driscoll, Giacometto, Koehnke, Peck, Stang.

Total 7

Excused: Moore.

Total 1

Absent or not voting: Patterson.

Total 1

SJR 22 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 84

Noes: Campbell, Clark, Cobb, DeBruycker, Giacometto, Grinde, Hayne, Kasten, L. Nelson, Peck, Roth, Steppler, Swysgood.

Total 13

Excused: Moore.

Total 1

Absent or not voting: Compton, Swift.

Total 2

SJR 24 concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Campbell, DeBruycker, Giacometto, Hannah, Kasten, Wallin.

Total 6

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

SB 215, Governor's amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Driscoll, Peck, Stang.

Total 3

Excused: Moore.

Total 1

Absent or not voting: Swift.

Total 1

SB 285, Governor's amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Driscoll, Koehnke, O'Keefe, Peck, Stang.

Total 5

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

HB 795, Senate amendments, concurred in as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen,

April 21, 1989

Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Moore.

Total 1

Absent or not voting: Aafedt, Daily, Keller.

Total 3

SB 431, conference committee report, adopted as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Peterson, Phillips, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Spring, Squires, Stepler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 85

Noes: Brooke, D. Brown, Campbell, Davis, Harrington, Owens, Pavlovich, Peck, Quilici, Smith, Stang, Swysgood, Thoft.

Total 13

Excused: Moore.

Total 1

Absent or not voting: Ellison.

Total 1

HB 791, conference committee report, adopted as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Daily, Darko, DeBruycker, DeMars, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kimberley, Knapp, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, O'Connell, Owens, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 77

Noes: Bardanouve, Bradley, Campbell, Cobb, Connelly, Davis, Elliott, Gervais, Good, Grady, Grinde, Guthrie, Kilpatrick, Koehnke, Lee, Nisbet, O'Keefe, Peck, Stang, Whalen.
Total 20

Excused: Moore.
Total 1

Absent or not voting: Patterson, Spaeth.
Total 2

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 4/21/89
Correctly enrolled: HB 58, HB 277, HB 398, HB 601, HB 759, HB 769.
Examined by the sponsors and found to be correct:
HB 58 - Driscoll
HB 277 - Raney
HB 398 - Westlake
HB 601 - O'Keefe
HB 759 - O'Connell
HB 769 - Elliott
Signed by the Speaker at 6:30 p.m., 4/20/89: HB 320, HB 354, HB 469, HB 739.
Signed by the Speaker at 1:00 p.m., 4/21/89: HB 58, HB 277, HB 398, HB 601, HB 759, HB 769.

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on House Bill 791
Report No. 2, April 21, 1989

Mr. President and Mr. Speaker:

We, your Free Conference Committee on House Bill 791 considered and recommend HB 791 (reference copy — salmon) be amended as follows:

1. Page 1, line 18.
Strike: "1986"
Insert: "1988"

2. Page 1, line 21 through page 2, line 1.
Following: "act]." on page 1, line 21
Strike: "The" on page 1, line 21 through "act]." on page 2, line 1

And this Conference Committee Report be adopted.

For the Senate:

Hager, Chairman
Tveit
Van Valkenburg

For the House:

Harrington
Schye
Ramirez

Report adopted.

Free Conference Committee Report
on Senate Bill 377
Report No. 1, April 21, 1989

Mr. President and Mr. Speaker:

We, your Free Conference Committee on Senate Bill 377 considered and recommend that SB 377 (reference copy — salmon) be amended as follows:

The House Committee on Judiciary amendments dated March 9, 1989, be accepted, except that the inserted language in Amendment No. 2 be stricken;

1. Page 3, line 8.

Strike: "THAT SPECIFIC PORTION OF"

And this Free Conference Committee Report be adopted.

For the Senate:

Gage, Chairman
Harding
Halligan

For the House:

Addy
Strizich
Gould

Report adopted.

MESSAGES FROM THE SENATE

House amendments concurred in:

4/21/89

SJR 23, introduced by Halligan

Representative Harper moved the House recess until 2:15 p.m.

Motion carried.

House recessed at 1:10 p.m.

House reconvened at 2:30 p.m. Mr. Speaker in the Chair.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Addy in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 377 - Representative Gould moved the free conference committee report on SB 377 be adopted. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Bradley, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: Boharski, Glaser.

Total 2

Excused: Moore.

Total 1

Absent or not voting: Blotkamp, Brooke, D. Brown, DeMars, Ellison, Gilbert, Grady, Peterson, Roth, Russell.
Total 10

Representative Harper moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Addy moved the adoption of the committee report. Report adopted. (88-5)

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

SB 377, conference committee report, adopted as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Daily, Darko, Davis, DeBruycker, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: Boharski, Campbell, Glaser, Swysgood.
Total 4

Excused: Moore.
Total 1

Absent or not voting: J. Brown, Connelly, DeMars, Menahan, Russell.
Total 5

MESSAGES FROM THE SENATE

Governor's amendments rejected: 4/21/89

HB 100, introduced by Bardanouve

MESSAGES FROM THE GOVERNOR

The Honorable John Vincent April 21, 1989
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Speaker Vincent:

In order to provide your caucus with as much advance notice as possible to make personal plans easier, I intend to call the legislature into Special Session on the morning of June 19, 1989.

Sincerely,

STAN STEPHENS
Governor

SPECIAL ORDERS OF THE DAY

Speaker Vincent appointed the following members to the Administrative Code Committee, pursuant to Sections 5-14-101 and 5-14-102, MCA:

Representative Dorothy Cody
Representative Budd Gould
Representative Mary Lou Peterson
Representative Carolyn Squires

Speaker Vincent appointed the following members to the Coal Tax Oversight Subcommittee, pursuant to Section 5-18-201, MCA:

Representative Dave Brown
Representative Marian Hanson

Speaker Vincent appointed the following member to the Energy Policy Committee, pursuant to Section 90-4-303, MCA:

Representative Stella Jean Hansen

Speaker Vincent appointed the following members to the Environmental Quality Council, pursuant to Sections 5-16-101 and 5-16-103, MCA:

Representative Jerry Driscoll
Representative Bob Gilbert
Representative Ed Grady
Representative Bob Raney
Doug Crandall, Livingston
Tom Roy, Missoula

Speaker Vincent appointed the following members to the Indian Affairs Committee, pursuant to House Bill 54, Section 2:

Representative Bob Gervais
Representative Clyde Smith

Speaker Vincent appointed the following members to the Legislative Audit Committee, pursuant to Section 5-13-202, MCA:

Representative John Cobb
Representative Mike Kadas
Representative Bob Pavlovich
Representative Bruce Simon

Speaker Vincent appointed the following members to the Legislative Council, pursuant to Section 5-11-101, MCA:

Representative Jan Brown
Representative Ralph Eudaily
Representative Red Menahan
Representative John Mercer

Speaker Vincent appointed the following members to the Legislative Finance Committee, pursuant to Sections 5-12-202 and 5-12-203, MCA:

Representative Dorothy Bradley
Representative Tom Nelson

Representative Bardanouve, Chairman of the Appropriations Committee, made the following appointments to the Legislative Finance Committee, pursuant to Sections 5-12-202 and 5-12-203, MCA:

Representative Francis Bardanouve
Representative Dennis Iverson
Representative Ray Peck
Representative Robert Thoft

Speaker Vincent appointed the following members to the Lottery Liaison Committee, pursuant to Section 23-5-1008, MCA:

Representative Linda Nelson
Representative Norman Wallin

Speaker Vincent appointed the following members to the Montana-Western Canadian Provinces Boundary Advisory Committee, pursuant to Section 1-13-101, MCA:

Representative Mary Ellen Connelly
Representative Harriet Hayne

Majority Leader Harper appointed the following member to the Reapportionment Commission, pursuant to Section 5-1-102, MCA:

James J. Pasma, Havre

Minority Leader Ramirez appointed the following member to the Reapportionment Commission, pursuant to Section 5-1-102, MCA:

Jack D. Rehberg, Billings

Speaker Vincent appointed the following members to the Revenue Oversight Committee, pursuant to Sections 5-18-102 and 5-18-103, MCA:

Representative M. Susan Good
Representative Dan Harrington
Representative Robert Hoffman
Representative John Patterson
Representative Bob Ream
Representative Ted Schye

Speaker Vincent appointed the following members to the Water Policy Committee, pursuant to Section 85-2-105, MCA:

Representative Hal Harper
Representative Roger Knapp
Representative Vernon Westlake
Representative Tom Zook

Representative Harper moved the Speaker be authorized to appoint a committee of four to notify His Excellency, the Governor, the House of Representatives of the Fifty-First Legislature has completed its business and is ready to adjourn sine die.

Motion carried.

Speaker Vincent appointed Representatives Darko, Bardanouve, Marks, and Mercer.

Representative Harper moved the Speaker be authorized to appoint a committee of four to notify the Senate the House of Representatives of the Fifty-First Legislature has completed its business and is ready to adjourn sine die.

Motion carried.

Speaker Vincent appointed Representatives Cobb, Wyatt, Wallin, and Nisbet.

Speaker Vincent dismissed the committees to perform their appointed duties, and the House stood at ease.

The committee appointed to notify the Senate returned and informed the House they had delivered their message. Speaker Vincent discharged the committee and thanked the members.

The committee appointed to notify the Governor returned and informed the House they had delivered their message. Speaker Vincent discharged the committee and thanked the members.

Representative Harper moved joint rule 40-160 of the Fifty-First Legislature be interpreted to allow five working days after the 90th legislative day for enrolling and signing of all bills and resolutions passed by the 90th legislative day. Motion carried.

ANNOUNCEMENTS

Speaker Vincent introduced this week's pages:

Matt Goodrich, Hogeland
Becky Whalen, Billings
Cyd Babb, Butte
Dana Peterson, Anaconda
Michelle Wheat, Helena
Mike Tessier, Trout Creek
Mary Ellen Kloker, Anaconda
Trent Stoltz, Valier
Mykal Cramer, Helena
Brian Vigil, Roberts
Jennifer Hutslar, Medicine Lake
Misty Sparks, Ekalaka
Gilly English, Billings

Representative Harper moved the House adjourn sine die.

Motion carried.

House adjourned at 3:04 p.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

ADDENDUM TO THE HOUSE JOURNAL

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 4/21/89
Delivered to the Governor for his approval at 3:30 p.m.,
4/21/89: HB 100.

4/24/89
Signed by the Speaker at 4:00 p.m., 4/21/89: HB 245, HB 280, HB 329,
HB 364, HB 486, HB 529, HB 535, HB 595, HJR 38, HJR 41,
HJR 43.

Delivered to the Governor for his approval at 11:55 a.m.,
4/24/89: HB 58, HB 277, HB 398, HB 507, HB 550, HB 601,
HB 703, HB 759, HB 769, HB 775, HB 776, HB 777, HB 789.

Delivered to the Governor for his approval at 1:50 p.m.,
4/24/89: HB 159, HB 320, HB 354, HB 469, HB 496, HB 569,
HB 619, HB 663, HB 739, HB 757, HB 778, HB 782, HB 783,
HB 792, HJR 32.

HOUSE JOURNAL
REGULAR SESSION

4/25/89

Correctly enrolled: HB 200, HB 510, HB 547, HB 614, HB 626, HB 718, HB 760, HB 768, HB 772, HB 773, HB 786, HB 795, HJR 47, HJR 48.

4/26/89

Correctly enrolled: HB 193, HB 325, HB 566, HB 618, HB 621, HB 717, HB 780.

Signed by the Speaker at 10:30 a.m., 4/26/89: HB 193, HB 200, HB 325, HB 510, HB 547, HB 566, HB 614, HB 618, HB 621, HB 626, HB 717, HB 718, HB 760, HB 768, HB 772, HB 773, HB 780, HB 786, HB 795, HJR 47, HJR 48, SB 315, SB 410.

4/27/89

Correctly enrolled: HB 28, HB 202, HB 301, HB 333, HB 452, HB 567, HB 641, HB 700, HB 734, HB 752, HB 766, HB 707, HB 791, HJR 13, HJR 37, HJR 39.

Delivered to the Governor for his approval at 11:17 a.m., 4/27/89: HB 193, HB 200, HB 245, HB 280, HB 325, HB 329, HB 364, HB 486, HB 510, HB 529, HB 535, HB 547, HB 566, HB 595, HB 614, HB 618, HB 621, HB 626, HB 717, HB 718, HB 760, HB 768, HB 772, HB 773, HB 780, HB 786, HB 795.

4/28/89

Signed by the Speaker at 4:50 p.m., 4/28/89: HB 28, HB 202, HB 301, HB 333, HB 452, HB 567, HB 641, HB 700, HB 707, HB 734, HB 752, HB 766, HB 791, HJR 13, HJR 37, HJR 39, SB 65, SB 80, SB 95, SB 105, SB 111, SB 128, SB 129, SB 130, SB 132, SB 209, SB 215, SB 226, SB 241, SB 282, SB 283, SB 285, SB 303, SB 315, SB 351, SB 377, SB 385, SB 410, SB 427, SB 431, SB 465, SB 472, SB 473, SB 474, SJR 19, SJR 20, SJR 21, SJR 22, SJR 23, SJR 24.

Delivered to the Governor for his approval at 4:59 p.m., 4/28/89: HB 28, HB 202, HB 301, HB 333, HB 452, HB 567, HB 641, HB 700, HB 707, HB 734, HB 752, HB 766, HB 791, HJR 13, HJR 37, HJR 39.

MESSAGES FROM THE GOVERNOR

John Vincent
Speaker of the House
Montana House of Representatives
State Capitol
Helena, Montana 59620

April 24, 1989

Dear Representative Vincent:

Please be informed that I have signed House Bills 35, 165, 391, and 754 on April 21, 1989.

Sincerely,

STAN STEPHENS
Governor

John Vincent
Speaker of the House
Montana House of Representatives
State Capitol
Helena, Montana 59620

April 24, 1989

Dear Representative Vincent:

Please be informed that I have signed House Bills 304 and 690 on April 22, 1989.

Sincerely,

STAN STEPHENS
Governor

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, MT 59620

April 24, 1989

The Honorable Jack Galt
President of the Senate
State Capitol
Helena, MT 59620

Dear Representative Vincent and Senator Galt:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby veto the adoption of House Bill 32, "AN ACT TO CHANGE THE TERMS OF OFFICE OF MEMBERS OF THE BOARD OF REGENTS AND BOARD OF PUBLIC EDUCATION FROM 7 YEARS TO 5 YEARS; AMENDING SECTION 2-15-1508, MCA; AND PROVIDING AN APPLICABILITY DATE AND AN IMMEDIATE EFFECTIVE DATE." for the following reasons.

House Bill 32 will reduce the term of members appointed to the Board of Regents and Board of Public Education by two years. Since the adoption of the 1972 Montana Constitution, these board members have served a seven year term. The terms are staggered and permit reappointments every year.

Educational policy is of great importance to the executive branch and to this state. Elementary, secondary and postsecondary education requires on-going review, continuity and historical perspective. Seven year terms for board members results in consistent and coherent education policy.

To reduce the term of the board members at this time of fiscal and philosophical change is not in the best interest of the state. A compelling public policy has not been demonstrated to me that such change is necessary.

I veto House Bill 32.

Sincerely,

STAN STEPHENS
Governor

John Vincent
Speaker of the House
Montana House of Representatives
State Capitol
Helena, Montana 59620

April 25, 1989

Dear Representative Vincent:

Please be informed that I have signed House Bills 44, 60, 233, 463, 526, 543, 583, and 774 on April 24, 1989.

Sincerely,

STAN STEPHENS
Governor

John Vincent
Speaker of the House
Montana House of Representatives
State Capitol
Helena, Montana 59620

April 25, 1989

Dear Representative Vincent:

Please be informed that I have signed House Bills 54, 58, 354, 663, 759, and 792 on April 25, 1989.

Sincerely,

STAN STEPHENS
Governor

John Vincent
Speaker of the House
Montana House of Representatives
State Capitol
Helena, Montana 59620

April 27, 1989

Dear Representative Vincent:

Please be informed that I have signed House Bill 100 on April 26, 1989.

Sincerely,

STAN STEPHENS
Governor

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, MT 59620

April 27, 1989

The Honorable Jack Galt
President of the Senate
State Capitol
Helena, MT 59620

Dear Representative Vincent and Senator Galt:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby veto the adoption of House Bill 277, "AN ACT APPROPRIATING MONEY FOR THE SUPPORT AND PRODUCTION OF PROGRAMMING AND FOR MAINTENANCE OF KUSM, THE ONLY LICENSED PUBLIC TELEVISION STATION IN MONTANA; AND PROVIDING AN EFFECTIVE DATE." for the following reasons.

KUSM is a worthy full-service public television station serving many communities. Special programming in public affairs, economic development and education is beneficial to many people of our state. This has all been accomplished, for the most part, through private donations and PBC grants.

House Bill 277 appropriates \$100,000 of public funds for the operating expenses of public television. This is a first-time appropriation for the general operation of public television using state general fund monies. This commitment would be ongoing once there was reliance on state general fund monies.

The State of Montana cannot permit the continued growth in government spending and reliance on government dollars without a compelling public policy interest. Historically, these appropriations create further reliance in future years for taxpayer dollars for public television. Montana cannot afford these additional costs at this time.

I recognize the worthiness of this project. I also recognize, however, other public broadcasting facilities have existed without government monies. Since there has been no demonstrated compelling public policy interest for increased government spending, I must veto House Bill 277.

Sincerely,

STAN STEPHENS
Governor

John Vincent
Speaker of the House
Montana House of Representatives
State Capitol
Helena, Montana 59620

April 28, 1989

Dear Representative Vincent:

Please be informed that I have signed House Bills 703 and 783 on April 28, 1989.

Sincerely,

STAN STEPHENS
Governor

John Vincent
Speaker of the House
Montana House of Representatives
State Capitol
Helena, Montana 59620

May 2, 1989

Dear Representative Vincent:

Please be informed that I have signed House Bill 569 on April 29, 1989.

Sincerely,

STAN STEPHENS
Governor

John Vincent
Speaker of the House
Montana House of Representatives
State Capitol
Helena, Montana 59620

May 8, 1989

Dear Representative Vincent:

Please be informed that I have signed House Bills 364, 619, 626, 700, 739, 766, and 773 on May 5, 1989.

Sincerely,

STAN STEPHENS
Governor

John Vincent

May 11, 1989

Speaker of the House
Montana House of Representatives
State Capitol
Helena, Montana 59620

Dear Representative Vincent:

Please be informed that I have signed House Bills 245, 325, 507, 621, 707, 775, 776, 786, and 795 on May 11, 1989.

Sincerely,

STAN STEPHENS
Governor

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, MT 59620

May 11, 1989

The Honorable Jack Galt
President of the Senate
State Capitol
Helena, Montana 59620

Dear Representative Vincent and Senator Galt:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby veto the adoption of House Bill 618, "AN ACT TO INCREASE BY 4 PERCENT THE MAXIMUM GENERAL FUND BUDGET SCHEDULES FOR ELEMENTARY SCHOOLS AND HIGH SCHOOLS FOR SCHOOL FISCAL YEAR 1989-1990; TO APPROPRIATE FUNDS TO THE SUPERINTENDENT OF PUBLIC INSTRUCTION FOR STATE EQUALIZATION AID; AMENDING SECTIONS 20-9-316 AND 20-9-317, MCA; AND PROVIDING AN EFFECTIVE DATE." for the following reasons.

House Bill 618 increases by four percent the maximum general fund budget schedule for elementary schools and high schools for fiscal year 1989-90. This four percent increase in the school foundation program virtually sidesteps the Montana Supreme Court mandate of school funding equalization as provided for in Helena Elementary School District Number One, et al. v. State of Montana, et al. The legislature is under a court mandate to eliminate disparities in school district expenditures per student and reliance on differences in local real property tax valuations. House Bill 618, with an appropriation of \$11,140,000 does not address either of these pressing issues.

I do not foreclose the possibility of providing schools a needed increase in state funding, but that increase must come in conjunction with a school equalization plan.

The legislature will be reviewing major school funding and tax reform again prior to July 1, 1989. Resolution of school equalization will not be resolved by increases in the existing foundation program schedule which has been declared unconstitutional. House Bill 618 detracts from that court mandated resolution. It adds state dollars to a financial system whose existence will terminate. In fiscally tight times, Montana educators cannot become captive to a mentality that additional government dollars will solve the problem. There has been no compelling public policy interest demonstrated to me for passage of House Bill 618.

Recognizing that the real need of schools is for a permanent solution to fixed budgets in inflationary times, a solution House Bill 618 does not provide, I have today signed into law Senate Bill 65. This legislation allows school districts to raise necessary revenue when taxable value drops more than 5 percent in any one year.

Given the value of Senate Bill 65 to our schools in relation to the questionable benefits of House Bill 618, I have vetoed House Bill 618.

Sincerely,

STAN STEPHENS
Governor

John Vincent
Speaker of the House
Montana House of Representatives
State Capitol
Helena, Montana 59620

May 11, 1989

Dear Representative Vincent:

Please be informed that I have signed House Bill 769 on April 25, 1989.

Sincerely,

STAN STEPHENS
Governor

John Vincent
Speaker of the House
Montana House of Representatives
State Capitol
Helena, Montana 59620

May 12, 1989

Dear Representative Vincent:

Please be informed that I have signed House Bills 301, 566, 595, and 757 on May 12, 1989.

Sincerely,

STAN STEPHENS
Governor

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, MT 59620

May 15, 1989

The Honorable Jack Galt
President of the Senate
State Capitol
Helena, Montana 59620

Dear Representative Vincent and Senator Galt:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby make the following line-item veto to House Bill 193, "AN ACT PROVIDING FOR STATE AID TO PUBLIC LIBRARIES; PROVIDING FOR A DISTRIBUTION OF GRANTS TO PUBLIC LIBRARIES BY THE STATE LIBRARY COMMISSION ON A PER CAPITA AND PER SQUARE MILE BASIS;

PROVIDING FOR REIMBURSEMENT FOR INTERLIBRARY LOAN LENDING; PROVIDING THAT SUCH AID MAY NOT BE USED TO SUPPLANT LOCAL OPERATING SUPPORT OF LIBRARIES; PROVIDING FOR BASE GRANTS TO LOCAL LIBRARIES FOR SUPPORT OF COOPERATIVE SERVICES THROUGH FEDERATIONS; PROVIDING FOR A STATE MULTILIBRARY CARD; PROVIDING AN APPROPRIATION; AMENDING SECTION 22-1-301, MCA; AND PROVIDING AN EFFECTIVE DATE."

The importance of public libraries in the state of Montana cannot be understated. They are the few facilities where our citizens, young and old, gain access to the nation and the world. They are vital links and are a part of our social fabric.

The State of Montana's financial assistance to local libraries has been non-existent. Montana is one of five states which do not provide state aid to public libraries. Our libraries are closing more often, reducing staff and discontinuing orders and subscriptions. A compelling public policy interest has been demonstrated to me for State participation in maintaining this vital resource.

However, the fiscal and economic plight of this state has increased in the last decade. Increased growth in government spending places a greater burden on the taxpaying public, discourages business startups and deteriorates our statewide economy. To permit such a first time massive infusion of public state dollars to public libraries generally supported by local communities is not a wise use of public funds.

I shall not veto the entire bill. I am, however, compelled to exercise the power of line-item veto, keeping intact the components of the bill that are essential to curtail the downward experiences of the public library.

I support the \$400,000 appropriation to reimburse libraries for inter-library loan lending. This amount encourages and provides a mechanism for the sharing of library resources. I support the \$166,000 appropriation to provide a base grant for each public library to support library federations. There are six federations of libraries in the state. This appropriation is an essential component in public library operation.

I line-item veto the appropriation of \$932,082 found in Section 9, Appropriation, of the Enrolled Copy of House Bill 193. This amount would provide direct reimbursement of State dollars to libraries. The shift from local to State financial support for local libraries in the 1989-91 biennium has not been demonstrated to be compelling.

I line-item veto the appropriation of \$179,418 found in Section 9, Appropriation, of the Enrolled Copy of House Bill 193. This appropriation is another first time State appropriation for an unproven program of a state multi-library card.

I line-item veto an appropriation for administration of \$25,162 found on page 5, Appropriation, of the Enrolled Copy of House Bill 193. The administration costs do not directly benefit the library user and should be absorbed with existing staff.

I leave intact \$566,000 of State appropriations to our public libraries.

I append to the bill, at the time of my signing, this statement of the items I have line-item vetoed and my objections thereto. I urge your concurrence with this line-item veto.

Sincerely,

STAN STEPHENS
Governor

John Vincent
Speaker of the House
Montana House of Representatives
State Capitol
Helena, Montana 59620

May 16, 1989

Dear Representative Vincent:

Please be informed that I have signed House Bill 614 on May 15, 1989.

Also, please be informed that I have signed House Bills 28, 333, 469, 486, 601, 641, and 760 on May 16, 1989.

Sincerely,

STAN STEPHENS
Governor

The Honorable John Vincent
Speaker of the House
Capitol Station
Helena, MT 59620

May 16, 1989

The Honorable Jack Galt
President of the Senate
State Capitol
Helena, Montana 59620

Dear Representative Vincent and Senator Galt:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby veto the adoption of House Bill 510, "AN ACT CREATING A GOVERNOR'S SCHOLARSHIP PROGRAM TO ENCOURAGE MONTANA'S MOST TALENTED HIGH SCHOOL GRADUATES TO ATTEND ACCREDITED MONTANA UNIVERSITIES, COLLEGES, COMMUNITY COLLEGES, AND VOCATIONAL-TECHNICAL UNITS." for the following reasons.

Scholarship programs to Montana students are an important component in the financing of their education. However, scholarship programs in and of themselves are not so important as to permit poor legislation to encumber the state or mislead students who rely upon such a scholarship program.

House Bill 510, in its final form, virtually requires that a scholarship recipient meet an extraordinarily high academic standard. This means the very top students would be eligible for the scholarship. I am aware that these students excel and are very competitive and demonstrate excellence in our public school system. These students typically have the competitive edge in receiving access to many scholarship programs. The bill does not aim toward many students who are academically accomplished but who have more difficulty getting financial aid because they do not rank in the top 10 percent of the class. These students also are typically the middle income families whose family income is too high to receive other financial assistance.

All general fund monies were eliminated from the bill. Revenue necessary to fund the program requires solicitation by the state for private contributions. If the fund raising does not produce sufficient funds, the Governor,

in his discretion, may suspend the scholarship program. There is a substantial legal commitment to raise sufficient funds for six full-ride scholarships for the duration of the recipient's education. In the event that sufficient funds are not raised so that the scholarship program must be suspended, the state of Montana may be subject to potential liability because of a student's detrimental reliance on the scholarship revenue. The student would be at a great disadvantage because his/her education may be forestalled because of lack of funds.

The state would, in effect, compete for precious few private contribution dollars to fund this program. Private and public colleges and universities in this state have active, vibrant programs to solicit and raise these needed funds. They are established programs. They are well thought through. They rely yearly upon the generosity of alumni and friends. They should not now compete with state government for those funds.

Recently, I signed legislation to assist colleges and universities in fund raising by allowing the college or university to promote their institution on a license plate. The proceeds from the sale of the plates would flow directly to the college or university for scholarship purposes. The people of this state do not expect the Governor to be playing and sponsoring golf tournaments for raising scholarship funds mandated by legislation. Increased government spending, increased mandates, false expectations and competition with private sector contribution solicitation is not in the best interest of the people of Montana.

I veto House Bill 510.

Sincerely,

STAN STEPHENS
Governor

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, MT 59620

May 16, 1989

The Honorable Jack Galt
President of the Senate
State Capitol
Helena, Montana 59620

Dear Representative Vincent and Senator Galt:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby veto the adoption of House Bill 718, "AN ACT PROVIDING FOR ESTABLISHMENT OF AN ANNEX OF THE MONTANA VETERANS' HOME TO BE LOCATED IN GALEN, MONTANA, CONTINGENT UPON COSTS OF RENOVATION AND FEDERAL PER DIEM REIMBURSEMENT ELIGIBILITY; APPROPRIATING FUNDS; AND PROVIDING AN EFFECTIVE DATE." for the following reasons.

The establishment of appropriate nursing homes for our aging veterans requires continuous state oversight, preplanning and review. I am presented with three separate bills affecting our responsibility towards our aging veterans.

I am, on this date, signing House Bill 202. The bill increases the tax on cigarettes by two cents per package to pay for costs associated with the veterans' nursing home.

I am also signing House Bill 547, an act establishing a state home for veterans in eastern Montana. A compelling public policy interest has been demonstrated to me regarding the need for such a facility for veterans in eastern Montana. The bill establishes a committee whose responsibilities include evaluating the need and appropriateness of locating a state veterans home in eastern Montana. There is a clear, well thought out planning process that provides direction on veterans homes well into the next century.

House Bill 718, however, the establishment of an annex to the Montana Veterans' Home in Galen, Montana has not been demonstrated to be compelling. The bill calls for a forty bed nursing home annex contingent upon cost estimates of necessary renovations to comply with state and federal standards not to exceed \$300,000 and the nursing home being able to meet eligibility requirements under federal law. Even though these conditions were placed in the context of the bill, the legislation places additional burdens on the department of institutions during these next two years to review the facility under legal mandates taking staff time away from other serious concerns facing our institutions department.

The legislature has provided funding for establishing the new facilities. What the legislature has not addressed is the ongoing operation costs of the facilities. It is estimated that Galen may exceed \$400,000 per year in operating costs. That would have an impact on the general fund for future fiscal years and immediately place precious general fund dollars in competition with other state institutions. I do not believe it is wise to immediately rush into the creation of two separate costly facilities without a demonstrated and compelling need. This is especially true in a state where our existing institution and human care facilities require immediate attention.

The proposed Galen facility may be revisited in two years. At that time, the department may conduct a review as to whether the conditions of eligibility for Veterans Administration certification and renovation costs are realistic. It will also give the state an opportunity to review the impact of the eastern Montana veterans' home facility and stabilize the financial base for the ongoing costs and the ever reliance on the general fund. This is the only responsible route to follow and one that does not preclude a reexamination of veterans' homes facilities in 1991.

I therefore veto House Bill 718.

Sincerely,

STAN STEPHENS
Governor

The Honorable John Vincent
Speaker of the House
Capitol Station
Helena, MT 59620

May 16, 1989

The Honorable Jack Galt
President of the Senate
State Capitol
Helena, Montana 59620

Dear Representative Vincent and Senator Galt:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby make the following line-item veto to House Bill 777, "AN ACT TO APPROPRIATE MONEY FOR CAPITAL PROJECTS AND TO AUTHORIZE THE ISSUANCE

AND SALE OF GENERAL OBLIGATION LONG-RANGE BUILDING PROGRAM BONDS; TO APPROPRIATE THE PROCEEDS OF THE BONDS FOR CAPITAL PROJECTS FOR THE BIENNIUM ENDING JUNE 30, 1991; TO PROVIDE FOR AN AGREEMENT BETWEEN THE BOARD OF EXAMINERS AND THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS; TO PROVIDE FOR A NEW AGREEMENT BETWEEN THE BOARD OF EXAMINERS AND THE BOARD OF REGENTS; TO PROVIDE FOR OTHER MATTERS RELATING TO THE APPROPRIATIONS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

I line-item veto \$50,000 state special revenue for the acquisition of the Arcade Building, Lower Level, Helena, Montana found on page 4 of the Enrolled Copy of House Bill 777. This particular acquisition is not needed at this time. The Division of Workers' Compensation Programs have adequate space for the operation of essential services to meet the legal requirements imposed on the division.

A review of the space availability of the Workers' Compensation program will be conducted by the Department of Administration during the interim and prior to the next legislative session. Further authority has been assigned to the Department of Administration for the purpose of allocating sufficient building space.

Our present building space needs must be thoroughly examined. Government occupancy of buildings cannot continually increase without a compelling reason to do so. Since there is adequate space available for the operation of the Department of Labor and Industry here, I exercise my line-item veto.

I sign the remainder of House Bill 777 and append to the bill at the time of my signing this line-item veto message.

Sincerely,

STAN STEPHENS
Governor

John Vincent
Speaker of the House
Montana House of Representatives
State Capitol
Helena, Montana 59620

May 17, 1989

Dear Representative Vincent:

Please be informed that I have signed House Bills 202, 535, 547, 717, and 778 on May 16, 1989.

Sincerely,

STAN STEPHENS
Governor

John Vincent
Speaker of the House
Montana House of Representatives
State Capitol
Helena, Montana 59620

May 19, 1989

Dear Representative Vincent:

Please be informed that I have signed House Bills 320, 398, 496, 550, and 782 on May 18, 1989.

Also, please be informed that I have signed House Bill 789 on May 19, 1989.

Sincerely,

STAN STEPHENS
Governor

John Vincent
Speaker of the House
Montana House of Representatives
State Capitol
Helena, Montana 59620

May 22, 1989

Dear Representative Vincent:

Please be informed that I have signed House Bill 200 on May 18, 1989.

Also, please be informed that I have signed House Bill 159 on May 19, 1989.

Sincerely,

STAN STEPHENS
Governor

John Vincent
Speaker of the House
Montana House of Representatives
State Capitol
Helena, Montana 59620

May 23, 1989

Dear Representative Vincent:

Please be informed that I have signed House Bills 280, 329, 529, 567, 752, 772, 780, and 791 on May 22, 1989.

Also, please be informed that I have signed House Bill 452 on May 23, 1989.

Sincerely,

STAN STEPHENS
Governor

John Vincent
Speaker of the House
Montana House of Representatives
State Capitol
Helena, Montana 59620

May 26, 1989

Dear Representative Vincent:

Please be informed that I have signed House Bill 734 on May 23, 1989.

Sincerely,

STAN STEPHENS
Governor

MESSAGES FROM THE SENATE

Governor's amendments to House bill concurred in and returned to the House:

4/21/89

HB 700, introduced by Pavlovich

Free conference committee report No. 2 on House bill No. 791, was adopted 4/21/89 on third reading by the Senate.

Free conference committee report No. 1 on Senate bill No. 377, was adopted 4/21/89 on third reading by the Senate.

SPECIAL ORDERS OF THE DAY

Speaker Vincent appointed the following members to the Legislative Forestry Task Force, pursuant to Senate Joint Resolution 2, 1989:

Representative Ben Cohen
Representative Bernie Swift

Speaker Vincent appointed the following members to the Legislative Consumer Committee, pursuant to Sections 5-15-101 through 5-15-105, MCA:

Representative Joe Quilici
Representative John Phillips

The following memorial tributes were transmitted to the surviving members of former Representatives' families and original copies of the memorials were filed with the Montana Historical Society:

IN MEMORIAM — WILLIAM BAETH

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the 51st Legislature of the State of Montana record the passing of William "Bill" Baeth on September 25, 1988, in Libby, Montana.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of Representative Baeth be filed on the official records of this Legislature and that the following facts relative to his career be noted:

Representative William Baeth was born July 2, 1909, in Malta, the son of George and Myrtle Baeth. He graduated from Libby High School in 1927. He worked for the Civilian Conservation Corps for 2 years before going to work for the J. Neils Lumber Company and later on for the St. Regis Paper Company. He retired in 1974. On December 11, 1952, he married Erma Hill in Couer d'Alene, Idaho.

Representative Baeth was elected to the House of Representatives in 1966 and served for 14 years. He also served on the Libby City Council and on the board of directors of the Libby Community Center and Recovery Northwest.

He was a long-time member of the Lumber and Sawmill Workers' Union, serving as treasurer from 1958 until 1974. He was also past president of the Inland Empire District Council of Lumber, Production, and Industrial Workers.

He is survived by daughters, Carla Fletcher and Dianne Johnson of Libby, Becky Baeth of Coeur d'Alene, Idaho, Roberta Brester of Missoula, and Anita Funk of Spokane, Washington; sons, William Baeth and David Hill of Libby, Dennis Hill of Colorado Springs, Colorado, and Steven Hill of Bemidji, Minnesota; sisters, Ethel Hewitt, Mildred Whitehouse, Ruth Baenen, and Edna Johnson of Libby, Edith Toal of Mill Valley, California, and Betty Aakhus of Effie, Minnesota; brothers Kenneth, Richard, and Bradley of Libby; and 15 grandchildren and 12 great-grandchildren.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That we hereby express our esteem and respect to the memory of the Honorable William Baeth and extend to the members of his family our sincere sympathy in their great and irreparable loss.

BE IT FURTHER RESOLVED, that a copy of this memorial be entered upon the Journal of the House of Representatives of the 51st Legislature, that original copies of this memorial, signed by the Speaker of the House of Representatives and the Minority Leader of the House of Representatives of the 51st Legislature, be transmitted to the surviving members of Representative Baeth's family designated above, and that an original copy of this memorial be filed with the Montana Historical Society.

John Vincent, Speaker of the
House of Representatives

Jack Ramirez, Minority
Leader of the House of
Representatives

IN MEMORIAM — GENE DONALDSON

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the 51st Legislature of the State of Montana record the passing of Eugene C. "Gene" Donaldson on September 15, 1987, at his Helena home.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of Representative Donaldson be filed on the official records of this Legislature and that the following facts relative to his career be noted:

Representative Gene Donaldson, a Republican who served in the House from 1979 to 1987, was known as a dedicated and fair lawmaker whose chief interest was to help youth. In 1982, Representative Donaldson received the Robert Pantzer Award, presented by the University of Montana, and in 1985, he received the Blue and Gold Award presented by Montana State University. In 1987, the Helena Vo-Tech was renamed in his honor.

He was born November 16, 1934, in Helena, to Myrlin G. Donaldson and the late Mabelle E. Donaldson. He graduated from Helena High School and received a B.S. in agricultural engineering. In 1958, Representative Donaldson married Beverly Jean Hart. They owned and operated a farm in the Helena Valley.

Representative Donaldson belonged to a variety of political and community organizations and associations, including the Montana 4-H Foundation, the Montana Pork Producers, the Montana Stockgrowers Association, the Montana Woolgrowers Association, the Salvation Army, and the Montana Farm Bureau. He was also a member of the Presbyterian Church and the Masonic Lodge. He served 12 years on the Helena High School Board and was vice chairman of the State Board of Livestock for 8 years. Since 1983, he had served on the board of directors for the Bank of Montana.

Survivors include his wife, Bev, of Helena; son, David E. of Helena; and daughters, Mrs. Ronald (Denise E.) Johnson of Billings and Mrs. Ronald (Colleen C.) Howell of Bozeman.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That we hereby express our esteem and respect to the memory of the Honorable Eugene C. "Gene" Donaldson and extend to the members of his family our sincere sympathy in their great and irreparable loss.

BE IT FURTHER RESOLVED, that a copy of this memorial be entered upon the Journal of the House of Representatives of the 51st Legislature, that original copies of this memorial, signed by the Speaker of the House of Representatives and the Minority Leader of the House of Representatives of the 51st Legislature, be transmitted to the surviving members of Representative Donaldson's family designated above, and that an original copy of this memorial be filed with the Montana Historical Society.

John Vincent, Speaker of the
House of Representatives

Jack Ramirez, Minority
Leader of the House of
Representatives

IN MEMORIAM — PATRICIA WEDGEWOOD GESEK

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the 51st Legislature of the State of Montana record the passing of Patricia Wedgewood Gesek on March 28, 1989, at her home in Whitefish, Montana.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of Representative Gesek be filed on the official records of this Legislature and that the following facts relative to her career be noted:

Representative Patricia Wedgewood Gesek was born July 1, 1931, in Missoula to William and Kathryn Wedgewood. She attended Missoula schools, graduating from Missoula County High School in 1949. She also attended the University of Montana. In 1950, she married Robert T. Gesek in Columbia Falls. Since 1961, they have operated Gesek Electric in Whitefish. At the time of her passing, she was serving her second term as Flathead County Public Administrator.

She was a member of St. Charles Catholic Church in Whitefish and was an active member of the Whitefish Soroptomist Club and the Flathead County Democratic Women's Club. Representative Gesek served in the House of Representatives from 1979 to 1981.

Survivors include her husband, Robert, of Whitefish; sons, Michael of Columbia Falls and Bob of Helena; daughters, Diane Delaney of Missoula, Patty Baker of Auburn, Washington, and JoAnne Gesek of Helena; brother, William Wedgewood of Helena; and eight grandchildren.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That we hereby express our esteem and respect to the memory of the Honorable Patricia Wedgewood Gesek and extend to the members of his family our sincere sympathy in their great and irreparable loss.

BE IT FURTHER RESOLVED, that a copy of this memorial be entered upon the Journal of the House of Representatives of the 51st Legislature, that original copies of this memorial, signed by the Speaker of the House of Representatives and the Minority Leader of the House of Representatives of the 51st Legislature, be transmitted to the surviving members of Representative Gesek's family designated above, and that an original copy of this memorial be filed with the Montana Historical Society.

John Vincent, Speaker of the
House of Representatives

Jack Ramirez, Minority
Leader of the House of
Representatives

IN MEMORIAM — NELS JOHN HEMSTAD

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the 51st Legislature of the State of Montana record the passing of Nels John Hemstad on April 16, 1989, near Judith Gap, Montana.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of Representative Hemstad be filed on the official records of this Legislature and that the following facts relative to his career be noted:

Representative Nels J. Hemstad, a Dutton-area farmer and four-term legislator from Teton County, was born December 23, 1912, at Wildrose, North Dakota. He moved to Dutton with his family in 1924 and began farming in the Dutton area in 1936. On January 4, 1937, he married Irene Wiprud.

Active in his community, he was board president of the Farmers Mercantile Company of Dutton and the Dutton Farmers Elevator Company and a director of the Montana Bank of Great Falls. Representative Hemstad also served four terms on the Dutton School Board, was a past president of the Lewis and Clark Forest Advisory Council, and was a charter member and past president of the Dutton Lions Club. He was also a charter members of the Dutton Volunteer Fire Department.

Representative Hemstad served in the Montana House of Representatives in the 1963, 1967, 1969, and 1971 sessions and was a member of the Bethany Lutheran Church, Masonic Lodge, Baghdad Shrine, Elks Lodge, and Meadow Lark Country Club.

Survivors include his wife, Irene, and daughters, Mrs. Roger (Myrl) DeBruycker of Floweree, Vickie Hemstad of Helena, Mrs. Frank (Jean) Schoonover of Dutton, and Mrs. Kenneth (Linda) Olson of Great Falls.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That we hereby express our esteem and respect to the memory of the Honorable Nels John Hemstad and extend to the members of his family our sincere sympathy in their great and irreparable loss.

BE IT FURTHER RESOLVED, that a copy of this memorial be entered upon the Journal of the House of Representatives of the 51st Legislature, that original copies of this memorial, signed by the Speaker of the House of Representatives and the Minority Leader of the House of Representatives of the 51st Legislature, be transmitted to the surviving members of Representative Hemstad's family designated above, and that an original copy of this memorial be filed with the Montana Historical Society.

John Vincent, Speaker of the
House of Representatives

Jack Ramirez, Minority
Leader of the House of
Representatives

IN MEMORIAM — LES KITSELMAN

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the 51st Legislature of the State of Montana

record the passing of Franklin L. "Les" Kitselman on November 13, 1987, in Billings, Montana.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of Representative Kitselman be filed on the official records of this Legislature and that the following facts relative to his career be noted:

Representative Les Kitselman was born to Franklin and Mildred Kitselman on October 16, 1946, in Philadelphia, Pennsylvania. He came to Montana in 1971, graduated from Rocky Mountain College with a B.S. in business and economics, and obtained an associate of technology degree from Northwest Missouri State University.

Representative Kitselman was employed as an insurance agent and was named Outstanding Young Man in America in 1981. He was a veteran of the United States Army and was a captain in the Montana National Guard. He was also a member of the Billings United Methodist Church, the Billings Heights Kiwanis Club, and the Masonic Lodge. He served on the Billings Area Chamber of Commerce, the City-County Planning Board, and the County Zoning Board. Mr. Kitselman served in the Montana House of Representatives from 1981 to 1987.

He is survived by his wife, Pamela, and a son, Bryan, of Billings.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That we hereby express our esteem and respect to the memory of the Honorable Franklin L. "Les" Kitselman and extend to the members of his family our sincere sympathy in their great and irreparable loss.

BE IT FURTHER RESOLVED, that a copy of this memorial be entered upon the Journal of the House of Representatives of the 51st Legislature, that original copies of this memorial, signed by the Speaker of the House of Representatives and the Minority Leader of the House of Representatives of the 51st Legislature, be transmitted to the surviving members of Representative Kitselman's family designated above, and that an original copy of this memorial be filed with the Montana Historical Society.

John Vincent, Speaker of the
House of Representatives

Jack Ramirez, Minority
Leader of the House of
Representatives

IN MEMORIAM — ELMER SCHYE

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the 51st Legislature of the State of Montana record the passing of Elmer Schye on January 21, 1988, in White Sulphur Springs, Montana.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of Representative Schye be filed on the official records of this Legislature and that the following facts relative to his career be noted:

Representative Schye was born in Viroqua, Wisconsin, the son of Ted and Selina Schye. As a child, he moved to eastern Montana with his parents, who homesteaded in the Ismay area. He attended school at Ismay and at the Montana Polytechnic Institute in Billings. On July 26, 1938, he married Virginia Anderson in White Sulphur Springs, where he worked as a

general contractor with Schye and Sullivan and Schye Co., Inc., for about 40 years.

Representative Schye first served in the House of Representatives from 1961 to 1967 and again from 1973 to 1975. He also served as mayor of White Sulphur Springs for 6 years. In 1968, he was considered as a candidate for lieutenant governor.

Active in Masonic organizations, he was a past honorary member of the Algeria Circus Patrol, a member of the Al Bedoo Shrine, and a member and Past Master of Diamond City No. 7, A.F. & A.M. In 1958-59 he served as president of the Montana Contractors Association.

He is survived by his wife, Virginia, of White Sulphur Springs; a son, Bill of Colstrip; brothers, Garry of Miles City and Jack of Glasgow; three grandchildren; and two great-grandchildren.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That we hereby express our esteem and respect to the memory of the Honorable Elmer Schye and extend to the members of his family our sincere sympathy in their great and irreparable loss.

BE IT FURTHER RESOLVED, that a copy of this memorial be entered upon the Journal of the House of Representatives of the 51st Legislature, that original copies of this memorial, signed by the Speaker of the House of Representatives and the Minority Leader of the House of Representatives of the 51st Legislature, be transmitted to the surviving members of Representative Schye's family designated above, and that an original copy of this memorial be filed with the Montana Historical Society.

John Vincent, Speaker of the
House of Representatives

Jack Ramirez, Minority
Leader of the House of
Representatives

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